

Calendar No. 402

106TH CONGRESS
1ST SESSION

H. R. 3196

AN ACT

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes.

NOVEMBER 5, 1999

Received; read twice and placed on the calendar

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IN THE SENATE OF THE UNITED STATES

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AN ACT

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 fiscal year ending September 30, 2000, and for other pur-
4 poses, namely:

5 TITLE I—EXPORT AND INVESTMENT

6 ASSISTANCE

7 EXPORT-IMPORT BANK OF THE UNITED STATES

8 The Export-Import Bank of the United States is au-
9 thorized to make such expenditures within the limits of
10 funds and borrowing authority available to such corpora-
11 tion, and in accordance with law, and to make such con-
12 tracts and commitments without regard to fiscal year limi-
13 tations, as provided by section 104 of the Government
14 Corporation Control Act, as may be necessary in carrying
15 out the program for the current fiscal year for such cor-
16 poration: *Provided*, That none of the funds available dur-
17 ing the current fiscal year may be used to make expendi-
18 tures, contracts, or commitments for the export of nuclear
19 equipment, fuel, or technology to any country other than
20 a nuclear-weapon state as defined in Article IX of the
21 Treaty on the Non-Proliferation of Nuclear Weapons eligi-
22 ble to receive economic or military assistance under this
23 Act that has detonated a nuclear explosive after the date
24 of the enactment of this Act.

SUBSIDY APPROPRIATION

1
2 For the cost of direct loans, loan guarantees, insur-
3 ance, and tied-aid grants as authorized by section 10 of
4 the Export-Import Bank Act of 1945, as amended,
5 \$759,000,000 to remain available until September 30,
6 2003: *Provided*, That such costs, including the cost of
7 modifying such loans, shall be as defined in section 502
8 of the Congressional Budget Act of 1974: *Provided fur-*
9 *ther*, That such sums shall remain available until Sep-
10 tember 30, 2018 for the disbursement of direct loans, loan
11 guarantees, insurance and tied-aid grants obligated in fis-
12 cal years 2000, 2001, 2002, and 2003: *Provided further*,
13 That none of the funds appropriated by this Act or any
14 prior Act appropriating funds for foreign operations, ex-
15 port financing, or related programs for tied-aid credits or
16 grants may be used for any other purpose except through
17 the regular notification procedures of the Committees on
18 Appropriations: *Provided further*, That funds appropriated
19 by this paragraph are made available notwithstanding sec-
20 tion 2(b)(2) of the Export Import Bank Act of 1945, in
21 connection with the purchase or lease of any product by
22 any East European country, any Baltic State or any agen-
23 cy or national thereof: *Provided further*, Public Law 106–
24 46 is amended by striking “November 5, 1999” and in-
25 serting “March 1, 2000”.

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs (to be computed on an accrual basis), including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed \$25,000 for official reception and representation expenses for members of the Board of Directors, \$55,000,000: *Provided*, That necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Export-Import Bank, repossession or sale of pledged collateral or other assets acquired by the Export-Import Bank in satisfaction of moneys owed the Export-Import Bank, or the investigation or appraisal of any property, or the evaluation of the legal or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, shall be considered nonadministrative expenses for the purposes of this heading: *Provided further*, That, notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) thereof shall remain in effect until October 1, 2000.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations,

1 as provided by 31 U.S.C. 9104, such expenditures and
2 commitments within the limits of funds available to it and
3 in accordance with law as may be necessary: *Provided*,
4 That the amount available for administrative expenses to
5 carry out the credit and insurance programs (including an
6 amount for official reception and representation expenses
7 which shall not exceed \$35,000) shall not exceed
8 \$35,000,000: *Provided further*, That project-specific trans-
9 action costs, including direct and indirect costs incurred
10 in claims settlements, and other direct costs associated
11 with services provided to specific investors or potential in-
12 vestors pursuant to section 234 of the Foreign Assistance
13 Act of 1961, shall not be considered administrative ex-
14 penses for the purposes of this heading.

15 PROGRAM ACCOUNT

16 For the cost of direct and guaranteed loans,
17 \$24,000,000, as authorized by section 234 of the Foreign
18 Assistance Act of 1961 to be derived by transfer from the
19 Overseas Private Investment Corporation noncredit ac-
20 count: *Provided*, That such costs, including the cost of
21 modifying such loans, shall be as defined in section 502
22 of the Congressional Budget Act of 1974: *Provided fur-*
23 *ther*, That such sums shall be available for direct loan obli-
24 gations and loan guaranty commitments incurred or made
25 during fiscal years 2000 and 2001: *Provided further*, That
26 such sums shall remain available through fiscal year 2008

1 for the disbursement of direct and guaranteed loans obli-
2 gated in fiscal year 2000, and through fiscal year 2009
3 for the disbursement of direct and guaranteed loans obli-
4 gated in fiscal year 2001: *Provided further*, That in addi-
5 tion, such sums as may be necessary for administrative
6 expenses to carry out the credit program may be derived
7 from amounts available for administrative expenses to
8 carry out the credit and insurance programs in the Over-
9 seas Private Investment Corporation Noncredit Account
10 and merged with said account: *Provided further*, That
11 funds made available under this heading or in prior appro-
12 priations Acts that are available for the cost of financing
13 under section 234 of the Foreign Assistance Act of 1961,
14 shall be available for purposes of section 234(g) of such
15 Act, to remain available until expended.

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 TRADE AND DEVELOPMENT AGENCY

18 For necessary expenses to carry out the provisions
19 of section 661 of the Foreign Assistance Act of 1961,
20 \$44,000,000, to remain available until September 30,
21 2001: *Provided*, That the Trade and Development Agency
22 may receive reimbursements from corporations and other
23 entities for the costs of grants for feasibility studies and
24 other project planning services, to be deposited as an off-
25 setting collection to this account and to be available for

1 obligation until September 30, 2001, for necessary ex-
2 penses under this paragraph: *Provided further*, That such
3 reimbursements shall not cover, or be allocated against,
4 direct or indirect administrative costs of the agency.

5 TITLE II—BILATERAL ECONOMIC ASSISTANCE

6 FUNDS APPROPRIATED TO THE PRESIDENT

7 For expenses necessary to enable the President to
8 carry out the provisions of the Foreign Assistance Act of
9 1961, and for other purposes, to remain available until
10 September 30, 2000, unless otherwise specified herein, as
11 follows:

12 AGENCY FOR INTERNATIONAL DEVELOPMENT

13 CHILD SURVIVAL AND DISEASE PROGRAMS FUND

14 For necessary expenses to carry out the provisions
15 of chapters 1 and 10 of part I of the Foreign Assistance
16 Act of 1961, for child survival, basic education, assistance
17 to combat tropical and other diseases, and related activi-
18 ties, in addition to funds otherwise available for such pur-
19 poses, \$715,000,000, to remain available until expended:
20 *Provided*, That this amount shall be made available for
21 such activities as: (1) immunization programs; (2) oral re-
22 hydration programs; (3) health and nutrition programs,
23 and related education programs, which address the needs
24 of mothers and children; (4) water and sanitation pro-
25 grams; (5) assistance for displaced and orphaned children;
26 (6) programs for the prevention, treatment, and control

1 of, and research on, tuberculosis, HIV/AIDS, polio, ma-
 2 laria and other diseases; and (7) up to \$98,000,000 for
 3 basic education programs for children: *Provided further*,
 4 That none of the funds appropriated under this heading
 5 may be made available for nonproject assistance for health
 6 and child survival programs, except that funds may be
 7 made available for such assistance for ongoing health pro-
 8 grams: *Provided further*, That \$35,000,000 shall be avail-
 9 able only for the HIV/AIDS programs requested under
 10 this heading in House Document 106–101.

11 DEVELOPMENT ASSISTANCE

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses to carry out the provisions
 14 of sections 103 through 106, and chapter 10 of part I
 15 of the Foreign Assistance Act of 1961, title V of the Inter-
 16 national Security and Development Cooperation Act of
 17 1980 (Public Law 96–533) and the provisions of section
 18 401 of the Foreign Assistance Act of 1969,
 19 \$1,228,000,000, to remain available until September 30,
 20 2001: *Provided*, That of the amount appropriated under
 21 this heading, up to \$5,000,000 may be made available for
 22 and apportioned directly to the Inter-American Founda-
 23 tion: *Provided further*, That of the amount appropriated
 24 under this heading, up to \$14,400,000 may be made avail-
 25 able for the African Development Foundation and shall
 26 be apportioned directly to that agency: *Provided further*,

1 That none of the funds made available in this Act nor
2 any unobligated balances from prior appropriations may
3 be made available to any organization or program which,
4 as determined by the President of the United States, sup-
5 ports or participates in the management of a program of
6 coercive abortion or involuntary sterilization: *Provided fur-*
7 *ther*, That none of the funds made available under this
8 heading may be used to pay for the performance of abor-
9 tion as a method of family planning or to motivate or co-
10 erce any person to practice abortions; and that in order
11 to reduce reliance on abortion in developing nations, funds
12 shall be available only to voluntary family planning
13 projects which offer, either directly or through referral to,
14 or information about access to, a broad range of family
15 planning methods and services, and that any such vol-
16 untary family planning project shall meet the following re-
17 quirements: (1) service providers or referral agents in the
18 project shall not implement or be subject to quotas, or
19 other numerical targets, of total number of births, number
20 of family planning acceptors, or acceptors of a particular
21 method of family planning (this provision shall not be con-
22 strued to include the use of quantitative estimates or indi-
23 cators for budgeting and planning purposes); (2) the
24 project shall not include payment of incentives, bribes,
25 gratuities, or financial reward to: (A) an individual in ex-

1 change for becoming a family planning acceptor; or (B)
2 program personnel for achieving a numerical target or
3 quota of total number of births, number of family planning
4 acceptors, or acceptors of a particular method of family
5 planning; (3) the project shall not deny any right or ben-
6 efit, including the right of access to participate in any pro-
7 gram of general welfare or the right of access to health
8 care, as a consequence of any individual's decision not to
9 accept family planning services; (4) the project shall pro-
10 vide family planning acceptors comprehensible information
11 on the health benefits and risks of the method chosen, in-
12 cluding those conditions that might render the use of the
13 method inadvisable and those adverse side effects known
14 to be consequent to the use of the method; and (5) the
15 project shall ensure that experimental contraceptive drugs
16 and devices and medical procedures are provided only in
17 the context of a scientific study in which participants are
18 advised of potential risks and benefits; and, not less than
19 60 days after the date on which the Administrator of the
20 United States Agency for International Development de-
21 termines that there has been a violation of the require-
22 ments contained in paragraph (1), (2), (3), or (5) of this
23 proviso, or a pattern or practice of violations of the re-
24 quirements contained in paragraph (4) of this proviso, the
25 Administrator shall submit to the Committee on Inter-

1 national Relations and the Committee on Appropriations
2 of the House of Representatives and to the Committee on
3 Foreign Relations and the Committee on Appropriations
4 of the Senate, a report containing a description of such
5 violation and the corrective action taken by the Agency:
6 *Provided further*, That in awarding grants for natural
7 family planning under section 104 of the Foreign Assist-
8 ance Act of 1961 no applicant shall be discriminated
9 against because of such applicant's religious or conscien-
10 tious commitment to offer only natural family planning;
11 and, additionally, all such applicants shall comply with the
12 requirements of the previous proviso: *Provided further*,
13 That for purposes of this or any other Act authorizing
14 or appropriating funds for foreign operations, export fi-
15 nancing, and related programs, the term "motivate", as
16 it relates to family planning assistance, shall not be con-
17 strued to prohibit the provision, consistent with local law,
18 of information or counseling about all pregnancy options:
19 *Provided further*, That nothing in this paragraph shall be
20 construed to alter any existing statutory prohibitions
21 against abortion under section 104 of the Foreign Assist-
22 ance Act of 1961: *Provided further*, That, notwithstanding
23 section 109 of the Foreign Assistance Act of 1961, of the
24 funds appropriated under this heading in this Act, and
25 of the unobligated balances of funds previously appro-

1 priated under this heading, \$2,500,000 may be trans-
2 ferred to “International Organizations and Programs” for
3 a contribution to the International Fund for Agricultural
4 Development (IFAD): *Provided further*, That none of the
5 funds appropriated under this heading may be made avail-
6 able for any activity which is in contravention to the Con-
7 vention on International Trade in Endangered Species of
8 Flora and Fauna (CITES): *Provided further*, That of the
9 funds appropriated under this heading that are made
10 available for assistance programs for displaced and or-
11 phaned children and victims of war, not to exceed
12 \$25,000, in addition to funds otherwise available for such
13 purposes, may be used to monitor and provide oversight
14 of such programs: *Provided further*, That of the funds ap-
15 propriated under this heading not less than \$500,000
16 should be made available for support of the United States
17 Telecommunications Training Institute: *Provided further*,
18 That, of the funds appropriated by this Act for the Micro-
19 enterprise Initiative (including any local currencies made
20 available for the purposes of the Initiative), not less than
21 one-half should be made available for programs providing
22 loans of less than \$300 to very poor people, particularly
23 women, or for institutional support of organizations pri-
24 marily engaged in making such loans.

1 CYPRUS

2 Of the funds appropriated under the headings “De-
3 velopment Assistance” and “Economic Support Fund”,
4 not less than \$15,000,000 shall be made available for Cy-
5 prus to be used only for scholarships, administrative sup-
6 port of the scholarship program, bicommunal projects, and
7 measures aimed at reunification of the island and designed
8 to reduce tensions and promote peace and cooperation be-
9 tween the two communities on Cyprus.

10 LEBANON

11 Of the funds appropriated under the headings “De-
12 velopment Assistance” and “Economic Support Fund”,
13 not less than \$15,000,000 should be made available for
14 Lebanon to be used, among other programs, for scholar-
15 ships and direct support of the American educational insti-
16 tutions in Lebanon.

17 BURMA

18 Of the funds appropriated under the headings “Eco-
19 nomic Support Fund” and “Development Assistance”, not
20 less than \$6,500,000 shall be made available to support
21 democracy activities in Burma, democracy and humani-
22 tarian activities along the Burma-Thailand border, and for
23 Burmese student groups and other organizations located
24 outside Burma: *Provided*, That funds made available for
25 Burma-related activities under this heading may be made
26 available notwithstanding any other provision of law: *Pro-*

1 *vided further*, That the provision of such funds shall be
2 made available subject to the regular notification proce-
3 dures of the Committees on Appropriations.

4 PRIVATE AND VOLUNTARY ORGANIZATIONS

5 None of the funds appropriated or otherwise made
6 available by this Act for development assistance may be
7 made available to any United States private and voluntary
8 organization, except any cooperative development organi-
9 zation, which obtains less than 20 percent of its total an-
10 nual funding for international activities from sources other
11 than the United States Government: *Provided*, That the
12 Administrator of the Agency for International Develop-
13 ment may, on a case-by-case basis, waive the restriction
14 contained in this paragraph, after taking into account the
15 effectiveness of the overseas development activities of the
16 organization, its level of volunteer support, its financial
17 viability and stability, and the degree of its dependence
18 for its financial support on the agency.

19 Funds appropriated or otherwise made available
20 under title II of this Act should be made available to pri-
21 vate and voluntary organizations at a level which is at
22 least equivalent to the level provided in fiscal year 1995.

23 INTERNATIONAL DISASTER ASSISTANCE

24 For necessary expenses for international disaster re-
25 lief, rehabilitation, and reconstruction assistance pursuant
26 to section 491 of the Foreign Assistance Act of 1961, as

1 amended, \$175,880,000, to remain available until ex-
2 pended: *Provided*, That the Agency for International De-
3 velopment shall submit a report to the Committees on Ap-
4 propriations at least 5 days prior to providing assistance
5 through the Office of Transition Initiatives for a country
6 that did not receive such assistance in fiscal year 1999.

7 MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM

8 ACCOUNT

9 For the cost of direct loans and loan guarantees,
10 \$1,500,000, as authorized by section 108 of the Foreign
11 Assistance Act of 1961, as amended: *Provided*, That such
12 costs shall be as defined in section 502 of the Congres-
13 sional Budget Act of 1974: *Provided further*, That guaran-
14 tees of loans made under this heading in support of micro-
15 enterprise activities may guarantee up to 70 percent of
16 the principal amount of any such loans notwithstanding
17 section 108 of the Foreign Assistance Act of 1961. In ad-
18 dition, for administrative expenses to carry out programs
19 under this heading, \$500,000, all of which may be trans-
20 ferred to and merged with the appropriation for Operating
21 Expenses of the Agency for International Development:
22 *Provided further*, That funds made available under this
23 heading shall remain available until September 30, 2001.

3 For administrative expenses to carry out guaranteed
4 loan programs, \$5,000,000, all of which may be trans-
5 ferred to and merged with the appropriation for Operating
6 Expenses of the Agency for International Development.

7 DEVELOPMENT CREDIT AUTHORITY PROGRAM ACCOUNT

8 For the cost of direct loans and loan guarantees, up
9 to \$3,000,000 to be derived by transfer from funds appro-
10 priated by this Act to carry out part I of the Foreign As-
11 sistance Act of 1961, as amended, and funds appropriated
12 by this Act under the heading, “ASSISTANCE FOR EAST-
13 ERN EUROPE AND THE BALTIC STATES”, to remain avail-
14 able until expended, as authorized by section 635 of the
15 Foreign Assistance Act of 1961: *Provided*, That such
16 costs, including the cost of modifying such loans, shall be
17 as defined in section 502 of the Congressional Budget Act
18 of 1974: *Provided further*, That for administrative ex-
19 penses to carry out the direct and guaranteed loan pro-
20 grams, up to \$500,000 of this amount may be transferred
21 to and merged with the appropriation for “Operating Ex-
22 penses of the Agency for International Development”: *Pro-*
23 *vided further*, That the provisions of section 107A(d) (re-
24 lating to general provisions applicable to the Development
25 Credit Authority) of the Foreign Assistance Act of 1961,
26 as contained in section 306 of H.R. 1486 as reported by

1 the House Committee on International Relations on May
2 9, 1997, shall be applicable to direct loans and loan guar-
3 antees provided under this heading.

4 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
5 DISABILITY FUND

6 For payment to the “Foreign Service Retirement and
7 Disability Fund”, as authorized by the Foreign Service
8 Act of 1980, \$43,837,000.

9 OPERATING EXPENSES OF THE AGENCY FOR
10 INTERNATIONAL DEVELOPMENT

11 For necessary expenses to carry out the provisions
12 of section 667, \$495,000,000: *Provided*, That, none of the
13 funds appropriated under this heading may be made avail-
14 able to finance the construction (including architect and
15 engineering services), purchase, or long term lease of of-
16 fices for use by the Agency for International Development,
17 unless the Administrator has identified such proposed con-
18 struction (including architect and engineering services),
19 purchase, or long term lease of offices in a report sub-
20 mitted to the Committees on Appropriations at least 15
21 days prior to the obligation of these funds for such pur-
22 poses: *Provided further*, That the previous proviso shall
23 not apply where the total cost of construction (including
24 architect and engineering services), purchase, or long term
25 lease of offices does not exceed \$1,000,000.

1 OPERATING EXPENSES OF THE AGENCY FOR INTER-
2 NATIONAL DEVELOPMENT OFFICE OF INSPECTOR
3 GENERAL

4 For necessary expenses to carry out the provisions
5 of section 667, \$25,000,000, to remain available until Sep-
6 tember 30, 2001, which sum shall be available for the Of-
7 fice of the Inspector General of the Agency for Inter-
8 national Development.

9 OTHER BILATERAL ECONOMIC ASSISTANCE
10 ECONOMIC SUPPORT FUND

11 For necessary expenses to carry out the provisions
12 of chapter 4 of part II, \$2,177,000,000, to remain avail-
13 able until September 30, 2001: *Provided*, That of the
14 funds appropriated under this heading, not less than
15 \$960,000,000 shall be available only for Israel, which sum
16 shall be available on a grant basis as a cash transfer and
17 shall be disbursed within 30 days of the enactment of this
18 Act or by October 31, 1999, whichever is later: *Provided*
19 *further*, That not less than \$735,000,000 shall be available
20 only for Egypt, which sum shall be provided on a grant
21 basis, and of which sum cash transfer assistance shall be
22 provided with the understanding that Egypt will under-
23 take significant economic reforms which are additional to
24 those which were undertaken in previous fiscal years, and
25 of which not less than \$200,000,000 shall be provided as

1 Commodity Import Program assistance: *Provided further*,
 2 That in exercising the authority to provide cash transfer
 3 assistance for Israel, the President shall ensure that the
 4 level of such assistance does not cause an adverse impact
 5 on the total level of nonmilitary exports from the United
 6 States to such country: *Provided further*, That of the funds
 7 appropriated under this heading, not less than
 8 \$150,000,000 should be made available for assistance for
 9 Jordan: *Provided further*, That notwithstanding any other
 10 provision of law, not to exceed \$11,000,000 may be used
 11 to support victims of and programs related to the Holo-
 12 caust: *Provided further*, That notwithstanding any other
 13 provision of law, of the funds appropriated under this
 14 heading, \$1,000,000 shall be made available to nongovern-
 15 mental organizations located outside of the People's Re-
 16 public of China to support activities which preserve cul-
 17 tural traditions and promote sustainable development and
 18 environmental conservation in Tibetan communities in
 19 that country.

20 INTERNATIONAL FUND FOR IRELAND

21 For necessary expenses to carry out the provisions
 22 of chapter 4 of part II of the Foreign Assistance Act of
 23 1961, \$19,600,000, which shall be available for the United
 24 States contribution to the International Fund for Ireland
 25 and shall be made available in accordance with the provi-
 26 sions of the Anglo-Irish Agreement Support Act of 1986

1 (Public Law 99–415): *Provided*, That such amount shall
2 be expended at the minimum rate necessary to make time-
3 ly payment for projects and activities: *Provided further*,
4 That funds made available under this heading shall re-
5 main available until September 30, 2001.

6 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
7 STATES

8 (a) For necessary expenses to carry out the provisions
9 of the Foreign Assistance Act of 1961 and the Support
10 for East European Democracy (SEED) Act of 1989,
11 \$535,000,000, to remain available until September 30,
12 2001, which shall be available, notwithstanding any other
13 provision of law, for assistance and for related programs
14 for Eastern Europe and the Baltic States: *Provided*, That
15 of the funds appropriated under this heading not less than
16 \$150,000,000 should be made available for assistance for
17 Kosova: *Provided further*, That of the funds made avail-
18 able under this heading and the headings “International
19 Narcotics Control and Law Enforcement” and “Economic
20 Support Fund”, not to exceed \$130,000,000 shall be made
21 available for Bosnia and Herzegovina: *Provided further*,
22 That none of the funds made available under this heading
23 for Kosova shall be made available until the Secretary of
24 State certifies that the resources pledged by the United
25 States at the upcoming Kosova donors conference and
26 similar pledging conferences shall not exceed 15 percent

1 of the total resources pledged by all donors: *Provided fur-*
2 *ther*, That none of the funds made available under this
3 heading for Kosova shall be made available for large scale
4 physical infrastructure reconstruction.

5 (b) Funds appropriated under this heading or in prior
6 appropriations Acts that are or have been made available
7 for an Enterprise Fund may be deposited by such Fund
8 in interest-bearing accounts prior to the Fund's disburse-
9 ment of such funds for program purposes. The Fund may
10 retain for such program purposes any interest earned on
11 such deposits without returning such interest to the Treas-
12 ury of the United States and without further appropria-
13 tion by the Congress. Funds made available for Enterprise
14 Funds shall be expended at the minimum rate necessary
15 to make timely payment for projects and activities.

16 (c) Funds appropriated under this heading shall be
17 considered to be economic assistance under the Foreign
18 Assistance Act of 1961 for purposes of making available
19 the administrative authorities contained in that Act for
20 the use of economic assistance.

21 (d) None of the funds appropriated under this head-
22 ing may be made available for new housing construction
23 or repair or reconstruction of existing housing in Bosnia
24 and Herzegovina unless directly related to the efforts of
25 United States troops to promote peace in said country.

1 (e) With regard to funds appropriated under this
2 heading for the economic revitalization program in Bosnia
3 and Herzegovina, and local currencies generated by such
4 funds (including the conversion of funds appropriated
5 under this heading into currency used by Bosnia and
6 Herzegovina as local currency and local currency returned
7 or repaid under such program) the Administrator of the
8 Agency for International Development shall provide writ-
9 ten approval for grants and loans prior to the obligation
10 and expenditure of funds for such purposes, and prior to
11 the use of funds that have been returned or repaid to any
12 lending facility or grantee.

13 (f) The provisions of section 532 of this Act shall
14 apply to funds made available under subsection (e) and
15 to funds appropriated under this heading.

16 (g) The President is authorized to withhold funds ap-
17 propriated under this heading made available for economic
18 revitalization programs in Bosnia and Herzegovina, if he
19 determines and certifies to the Committees on Appropria-
20 tions that the Federation of Bosnia and Herzegovina has
21 not complied with article III of annex 1–A of the General
22 Framework Agreement for Peace in Bosnia and
23 Herzegovina concerning the withdrawal of foreign forces,
24 and that intelligence cooperation on training, investiga-

1 tions, and related activities between Iranian officials and
2 Bosnian officials has not been terminated.

3 ASSISTANCE FOR THE INDEPENDENT STATES OF THE
4 FORMER SOVIET UNION

5 (a) For necessary expenses to carry out the provisions
6 of chapter 11 of part I of the Foreign Assistance Act of
7 1961 and the FREEDOM Support Act, for assistance for
8 the Independent States of the former Soviet Union and
9 for related programs, \$735,000,000, to remain available
10 until September 30, 2001: *Provided*, That the provisions
11 of such chapter shall apply to funds appropriated by this
12 paragraph: *Provided further*, That such sums as may be
13 necessary may be transferred to the Export-Import Bank
14 of the United States for the cost of any financing under
15 the Export-Import Bank Act of 1945 for activities for the
16 Independent States: *Provided further*, That of the funds
17 made available for the Southern Caucasus region, 15 per-
18 cent should be used for confidence-building measures and
19 other activities in furtherance of the peaceful resolution
20 of the regional conflicts, especially those in the vicinity of
21 Abkhazia and Nagorno-Karabagh: *Provided further*, That
22 of the amounts appropriated under this heading not less
23 than \$20,000,000 shall be made available solely for the
24 Russian Far East: *Provided further*, That of the funds
25 made available under this heading \$10,000,000 shall be
26 made available for salaries and expenses to carry out the

1 Russian Leadership Program enacted on May 21, 1999
2 (113 Stat. 93 et seq.).

3 (b) Of the funds appropriated under this heading, not
4 less than \$180,000,000 should be made available for as-
5 sistance for Ukraine.

6 (c) Of the funds appropriated under this heading, not
7 less than 12.92 percent shall be made available for assist-
8 ance for Georgia.

9 (d) Of the funds appropriated under this heading, not
10 less than 12.2 percent shall be made available for assist-
11 ance for Armenia.

12 (e) Section 907 of the FREEDOM Support Act shall
13 not apply to—

14 (1) activities to support democracy or assist-
15 ance under title V of the FREEDOM Support Act
16 and section 1424 of Public Law 104–201;

17 (2) any assistance provided by the Trade and
18 Development Agency under section 661 of the For-
19 eign Assistance Act of 1961 (22 U.S.C. 2421);

20 (3) any activity carried out by a member of the
21 United States and Foreign Commercial Service while
22 acting within his or her official capacity;

23 (4) any insurance, reinsurance, guarantee, or
24 other assistance provided by the Overseas Private
25 Investment Corporation under title IV of chapter 2

1 of part I of the Foreign Assistance Act of 1961 (22
2 U.S.C. 2191 et seq.);

3 (5) any financing provided under the Export-
4 Import Bank Act of 1945; or

5 (6) humanitarian assistance.

6 (f) Of the funds made available under this heading
7 for nuclear safety activities, not to exceed 9 percent of
8 the funds provided for any single project may be used to
9 pay for management costs incurred by a United States
10 national lab in administering said project.

11 (g) Not more than 25 percent of the funds appro-
12 priated under this heading may be made available for as-
13 sistance for any country in the region.

14 (h) Of the funds appropriated under title II of this
15 Act not less than \$12,000,000 should be made available
16 for assistance for Mongolia of which not less than
17 \$6,000,000 should be made available from funds appro-
18 priated under this heading: *Provided*, That funds made
19 available for assistance for Mongolia may be made avail-
20 able in accordance with the purposes and utilizing the au-
21 thorities provided in chapter 11 of part I of the Foreign
22 Assistance Act of 1961.

23 (i)(1) Of the funds appropriated under this heading
24 that are allocated for assistance for the Government of
25 the Russian Federation, 50 percent shall be withheld from

1 obligation until the President determines and certifies in
2 writing to the Committees on Appropriations that the Gov-
3 ernment of the Russian Federation has terminated imple-
4 mentation of arrangements to provide Iran with technical
5 expertise, training, technology, or equipment necessary to
6 develop a nuclear reactor, related nuclear research facili-
7 ties or programs, or ballistic missile capability.

8 (2) Paragraph (1) shall not apply to—

9 (A) assistance to combat infectious diseases and
10 child survival activities; and

11 (B) activities authorized under title V (Non-
12 proliferation and Disarmament Programs and Ac-
13 tivities) of the FREEDOM Support Act.

14 (j) None of the funds appropriated under this head-
15 ing may be made available for the Government of the Rus-
16 sian Federation, until the Secretary of State certifies to
17 the Committees on Appropriations that: (1) Russian
18 armed and peacekeeping forces deployed in Kosova have
19 not established a separate sector of operational control;
20 and (2) any Russian armed forces deployed in Kosova are
21 operating under NATO unified command and control ar-
22 rangements.

23 (k) Of the funds appropriated under this heading and
24 in prior acts making appropriations for foreign operations,
25 export financing, and related programs, not less than

1 \$241,000,000 shall be made available for expanded non-
2 proliferation and security cooperation programs under sec-
3 tion 503 and 511 of the FREEDOM Support Act and sec-
4 tion 1424 of Public Law 104–201.

5 (l) Of the funds appropriated under this title, not less
6 than \$14,700,000 shall be made available for maternal
7 and neo-natal health activities in the independent states
8 of the former Soviet Union, of which at least 60 percent
9 should be made available for the preventive care and treat-
10 ment of mothers and infants in Russia.

11 INDEPENDENT AGENCY

12 PEACE CORPS

13 For necessary expenses to carry out the provisions
14 of the Peace Corps Act (75 Stat. 612), \$235,000,000, in-
15 cluding the purchase of not to exceed five passenger motor
16 vehicles for administrative purposes for use outside of the
17 United States: *Provided*, That none of the funds appro-
18 priated under this heading shall be used to pay for abor-
19 tions: *Provided further*, That funds appropriated under
20 this heading shall remain available until September 30,
21 2001.

1 DEPARTMENT OF STATE

2 INTERNATIONAL NARCOTICS CONTROL AND LAW

3 ENFORCEMENT

4 For necessary expenses to carry out section 481 of
5 the Foreign Assistance Act of 1961, \$285,000,000, of
6 which \$21,000,000 shall become available for obligation
7 on September 30, 2000, and remain available until ex-
8 pended: *Provided*, That of this amount not less than
9 \$10,000,000 should be made available for Law Enforce-
10 ment Training and Demand Reduction: *Provided further*,
11 That any funds made available under this heading for
12 anti-crime programs and activities shall be made available
13 subject to the regular notification procedures of the Com-
14 mittees on Appropriations: *Provided further*, That during
15 fiscal year 2000, the Department of State may also use
16 the authority of section 608 of the Foreign Assistance Act
17 of 1961, without regard to its restrictions, to receive ex-
18 cess property from an agency of the United States Govern-
19 ment for the purpose of providing it to a foreign country
20 under chapter 8 of part I of that Act subject to the regular
21 notification procedures of the Committees on Appropria-
22 tions: *Provided further*, That in addition to any funds pre-
23 viously made available to establish and operate the Inter-
24 national Law Enforcement Academy for the Western
25 Hemisphere, not less than \$5,000,000 shall be made avail-

1 able to establish and operate the International Law En-
2 forcement Academy for the Western Hemisphere at the
3 deBremmond Training Center in Roswell, New Mexico.

4 MIGRATION AND REFUGEE ASSISTANCE

5 For expenses, not otherwise provided for, necessary
6 to enable the Secretary of State to provide, as authorized
7 by law, a contribution to the International Committee of
8 the Red Cross, assistance to refugees, including contribu-
9 tions to the International Organization for Migration and
10 the United Nations High Commissioner for Refugees, and
11 other activities to meet refugee and migration needs; sala-
12 ries and expenses of personnel and dependents as author-
13 ized by the Foreign Service Act of 1980; allowances as
14 authorized by sections 5921 through 5925 of title 5,
15 United States Code; purchase and hire of passenger motor
16 vehicles; and services as authorized by section 3109 of title
17 5, United States Code, \$625,000,000, of which
18 \$21,000,000 shall become available for obligation on Sep-
19 tember 30, 2000, and remain available until expended:
20 *Provided*, That not more than \$13,800,000 shall be avail-
21 able for administrative expenses: *Provided further*, That
22 not less than \$60,000,000 shall be made available for refu-
23 gees from the former Soviet Union and Eastern Europe
24 and other refugees resettling in Israel.

1 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
2 ASSISTANCE FUND

3 For necessary expenses to carry out the provisions
4 of section 2(c) of the Migration and Refugee Assistance
5 Act of 1962, as amended (22 U.S.C. 260(c)),
6 \$12,500,000, to remain available until expended: *Pro-*
7 *vided*, That the funds made available under this heading
8 are appropriated notwithstanding the provisions contained
9 in section 2(c)(2) of the Act which would limit the amount
10 of funds which could be appropriated for this purpose.

11 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
12 RELATED PROGRAMS

13 For necessary expenses for nonproliferation, anti-ter-
14 rorism and related programs and activities, \$181,600,000,
15 to carry out the provisions of chapter 8 of part II of the
16 Foreign Assistance Act of 1961 for anti-terrorism assist-
17 ance, section 504 of the FREEDOM Support Act for the
18 Nonproliferation and Disarmament Fund, section 23 of
19 the Arms Export Control Act or the Foreign Assistance
20 Act of 1961 for demining activities, the clearance of
21 unexploded ordnance, and related activities, notwith-
22 standing any other provision of law, including activities
23 implemented through nongovernmental and international
24 organizations, section 301 of the Foreign Assistance Act
25 of 1961 for a voluntary contribution to the International
26 Atomic Energy Agency (IAEA) and a voluntary contribu-

1 tion to the Korean Peninsula Energy Development Orga-
2 nization (KEDO), and for a United States contribution
3 to the Comprehensive Nuclear Test Ban Treaty Pre-
4 paratory Commission: *Provided*, That the Secretary of
5 State shall inform the Committees on Appropriations at
6 least 20 days prior to the obligation of funds for the Com-
7 prehensive Nuclear Test Ban Treaty Preparatory Com-
8 mission: *Provided further*, That of this amount not to ex-
9 ceed \$15,000,000, to remain available until expended, may
10 be made available for the Nonproliferation and Disar-
11 mament Fund, notwithstanding any other provision of
12 law, to promote bilateral and multilateral activities relat-
13 ing to nonproliferation and disarmament: *Provided fur-*
14 *ther*, That such funds may also be used for such countries
15 other than the Independent States of the former Soviet
16 Union and international organizations when it is in the
17 national security interest of the United States to do so:
18 *Provided further*, That such funds shall be subject to the
19 regular notification procedures of the Committees on Ap-
20 propriations: *Provided further*, That funds appropriated
21 under this heading may be made available for the Inter-
22 national Atomic Energy Agency only if the Secretary of
23 State determines (and so reports to the Congress) that
24 Israel is not being denied its right to participate in the
25 activities of that Agency: *Provided further*, That of the

1 funds appropriated under this heading, \$35,000,000
2 should be made available for demining, clearance of
3 unexploded ordnance, and related activities: *Provided fur-*
4 *ther*, That of the funds made available for demining and
5 related activities, not to exceed \$500,000, in addition to
6 funds otherwise available for such purposes, may be used
7 for administrative expenses related to the operation and
8 management of the demining program.

9 DEPARTMENT OF THE TREASURY

10 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

11 For necessary expenses to carry out the provisions
12 of section 129 of the Foreign Assistance Act of 1961 (re-
13 lating to international affairs technical assistance activi-
14 ties), \$1,500,000, to remain available until expended,
15 which shall be available notwithstanding and other provi-
16 sion of law.

17 DEBT RESTRUCTURING

18 For the cost, as defined in section 502 of the Con-
19 gressional Budget Act of 1974, of modifying loans and
20 loan guarantees, as the President may determine, for
21 which funds have been appropriated or otherwise made
22 available for programs within the International Affairs
23 Budget Function 150, including the cost of selling, reduc-
24 ing, or canceling amounts owed to the United States as
25 a result of concessional loans made to eligible countries,
26 pursuant to parts IV and V of the Foreign Assistance Act

1 of 1961 (including up to \$1,000,000 for necessary ex-
2 penses for the administration of activities carried out
3 under these parts), and of modifying concessional credit
4 agreements with least developed countries, as authorized
5 under section 411 of the Agricultural Trade Development
6 and Assistance Act of 1954, as amended, and concessional
7 loans, guarantees and credit agreements with any country
8 in Sub-Saharan Africa, as authorized under section 572
9 of the Foreign Operations, Export Financing, and Related
10 Programs Appropriations Act, 1989 (Public Law 100–
11 461), \$33,000,000, to remain available until expended:
12 *Provided*, That of this amount, not less than \$13,000,000
13 shall be made available to carry out the provisions of part
14 V of the Foreign Assistance Act of 1961: *Provided*, That
15 any limitation of subsection (e) of section 411 of the Agri-
16 cultural Trade Development and Assistance Act of 1954
17 to the extent that limitation applies to sub-Saharan Afri-
18 can countries shall not apply to funds appropriated here-
19 under or previously appropriated under this heading: *Pro-*
20 *vided further*, That the authority provided by section 572
21 of Public Law 100–461 may be exercised only with respect
22 to countries that are eligible to borrow from the Inter-
23 national Development Association, but not from the Inter-
24 national Bank for Reconstruction and Development, com-
25 monly referred to as “IDA-only” countries.

1 TITLE III—MILITARY ASSISTANCE

2 FUNDS APPROPRIATED TO THE PRESIDENT

3 INTERNATIONAL MILITARY EDUCATION AND TRAINING

4 For necessary expenses to carry out the provisions
5 of section 541 of the Foreign Assistance Act of 1961,
6 \$50,000,000, of which up to \$1,000,000 may remain
7 available until expended: *Provided*, That the civilian per-
8 sonnel for whom military education and training may be
9 provided under this heading may include civilians who are
10 not members of a government whose participation would
11 contribute to improved civil-military relations, civilian con-
12 trol of the military, or respect for human rights: *Provided*
13 *further*, That funds appropriated under this heading for
14 grant financed military education and training for Indo-
15 nesia and Guatemala may only be available for expanded
16 international military education and training and funds
17 made available for Guatemala may only be provided
18 through the regular notification procedures of the Com-
19 mittees on Appropriations: *Provided further*, That none of
20 the funds appropriated under this heading may be made
21 available to support grant financed military education and
22 training at the School of the Americas unless the Sec-
23 retary of Defense certifies that the instruction and train-
24 ing provided by the School of the Americas is fully con-
25 sistent with training and doctrine, particularly with re-

1 spect to the observance of human rights, provided by the
2 Department of Defense to United States military students
3 at Department of Defense institutions whose primary pur-
4 pose is to train United States military personnel: *Provided*
5 *further*, That the Secretary of Defense shall submit to the
6 Committees on Appropriations, no later than January 15,
7 2000, a report detailing the training activities of the
8 School of the Americas and a general assessment regard-
9 ing the performance of its graduates during 1997 and
10 1998.

11 FOREIGN MILITARY FINANCING PROGRAM

12 For expenses necessary for grants to enable the
13 President to carry out the provisions of section 23 of the
14 Arms Export Control Act, \$3,420,000,000: *Provided*,
15 That of the funds appropriated under this heading, not
16 less than \$1,920,000,000 shall be available for grants only
17 for Israel, and not less than \$1,300,000,000 shall be made
18 available for grants only for Egypt: *Provided further*, That
19 to the extent that the Government of Israel requests that
20 funds be used for such purposes, grants made available
21 for Israel by this paragraph shall, as agreed by Israel and
22 the United States, be available for advanced weapons sys-
23 tems, of which not less than 26.3 percent shall be available
24 for the procurement in Israel of defense articles and de-
25 fense services, including research and development: *Pro-*
26 *vided further*, That of the funds appropriated by this para-

1 graph, not less than \$75,000,000 should be available for
2 assistance for Jordan: *Provided further*, That of the funds
3 appropriated by this paragraph, not less than \$7,000,000
4 shall be made available for assistance for Tunisia: *Pro-*
5 *vided further*, That during fiscal year 2000, the President
6 is authorized to, and shall, direct the draw-downs of de-
7 fense articles from the stocks of the Department of De-
8 fense, defense services of the Department of Defense, and
9 military education and training of an aggregate value of
10 not less than \$4,000,000 under the authority of this pro-
11 viso for Tunisia for the purposes of part II of the Foreign
12 Assistance Act of 1961 and any amount so directed shall
13 count toward meeting the earmark in the preceding pro-
14 viso: *Provided further*, That of the funds appropriated by
15 this paragraph up to \$1,000,000 should be made available
16 for assistance for Ecuador and shall be subject to the reg-
17 ular notification procedures of the Committees on Appro-
18 priations: *Provided further*, That funds appropriated by
19 this paragraph shall be nonrepayable notwithstanding any
20 requirement in section 23 of the Arms Export Control Act:
21 *Provided further*, That funds made available under this
22 paragraph shall be obligated upon apportionment in ac-
23 cordance with paragraph (5)(C) of title 31, United States
24 Code, section 1501(a).

1 None of the funds made available under this heading
2 shall be available to finance the procurement of defense
3 articles, defense services, or design and construction serv-
4 ices that are not sold by the United States Government
5 under the Arms Export Control Act unless the foreign
6 country proposing to make such procurements has first
7 signed an agreement with the United States Government
8 specifying the conditions under which such procurements
9 may be financed with such funds: *Provided*, That all coun-
10 try and funding level increases in allocations shall be sub-
11 mitted through the regular notification procedures of sec-
12 tion 515 of this Act: *Provided further*, That none of the
13 funds appropriated under this heading shall be available
14 for assistance for Sudan and Liberia: *Provided further*,
15 That funds made available under this heading may be
16 used, notwithstanding any other provision of law, for
17 demining, the clearance of unexploded ordnance, and re-
18 lated activities, and may include activities implemented
19 through nongovernmental and international organizations:
20 *Provided further*, That none of the funds appropriated
21 under this heading shall be available for assistance for
22 Guatemala: *Provided further*, That only those countries for
23 which assistance was justified for the “Foreign Military
24 Sales Financing Program” in the fiscal year 1989 con-
25 gressional presentation for security assistance programs

1 may utilize funds made available under this heading for
2 procurement of defense articles, defense services or design
3 and construction services that are not sold by the United
4 States Government under the Arms Export Control Act:
5 *Provided further*, That funds appropriated under this
6 heading shall be expended at the minimum rate necessary
7 to make timely payment for defense articles and services:
8 *Provided further*, That not more than \$30,495,000 of the
9 funds appropriated under this heading may be obligated
10 for necessary expenses, including the purchase of pas-
11 senger motor vehicles for replacement only for use outside
12 of the United States, for the general costs of admin-
13 istering military assistance and sales: *Provided further*,
14 That not more than \$330,000,000 of funds realized pursu-
15 ant to section 21(e)(1)(A) of the Arms Export Control Act
16 may be obligated for expenses incurred by the Department
17 of Defense during fiscal year 2000 pursuant to section
18 43(b) of the Arms Export Control Act, except that this
19 limitation may be exceeded only through the regular notifi-
20 cation procedures of the Committees on Appropriations:
21 *Provided further*, That not later than 45 days after the
22 date of the enactment of this Act, the Secretary of Defense
23 shall report to the Committees on Appropriations regard-
24 ing the appropriate host institution to support and ad-
25 vance the efforts of the Defense Institute for International

1 and Legal Studies in both legal and political education:
2 *Provided further*, That none of the funds made available
3 under this heading shall be available for any non-NATO
4 country participating in the Partnership for Peace Pro-
5 gram except through the regular notification procedures
6 of the Committees on Appropriations.

7 PEACEKEEPING OPERATIONS

8 For necessary expenses to carry out the provisions
9 of section 551 of the Foreign Assistance Act of 1961,
10 \$78,000,000: *Provided*, That none of the funds appro-
11 priated under this heading shall be obligated or expended
12 except as provided through the regular notification proce-
13 dures of the Committees on Appropriations.

14 TITLE IV—MULTILATERAL ECONOMIC
15 ASSISTANCE

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 INTERNATIONAL FINANCIAL INSTITUTIONS

18 GLOBAL ENVIRONMENT FACILITY

19 For the United States contribution for the Global En-
20 vironment Facility, \$35,800,000, to the International
21 Bank for Reconstruction and Development as trustee for
22 the Global Environment Facility, by the Secretary of the
23 Treasury, to remain available until expended.

1 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
2 ASSOCIATION

3 For payment to the International Development Asso-
4 ciation by the Secretary of the Treasury, \$625,000,000,
5 to remain available until expended.

6 CONTRIBUTION TO THE MULTILATERAL INVESTMENT
7 GUARANTEE AGENCY

8 For payment to the Multilateral Investment Guar-
9 antee Agency by the Secretary of the Treasury,
10 \$4,000,000, for the United States paid-in share of the in-
11 crease in capital stock, to remain available until expended.

12 LIMITATION ON CALLABLE CAPITAL

13 The United States Governor of the Multilateral In-
14 vestment Guarantee Agency may subscribe without fiscal
15 year limitation for the callable capital portion of the
16 United States share of such capital stock in an amount
17 not to exceed \$20,000,000.

18 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
19 BANK

20 For payment to the Inter-American Development
21 Bank by the Secretary of the Treasury, for the United
22 States share of the paid-in share portion of the increase
23 in capital stock, \$25,610,667.

24 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

25 The United States Governor of the Inter-American
26 Development Bank may subscribe without fiscal year limi-

1 tation to the callable capital portion of the United States
2 share of such capital stock in an amount not to exceed
3 \$1,503,718,910.

4 CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

5 For payment to the Asian Development Bank by the
6 Secretary of the Treasury for the United States share of
7 the paid-in portion of the increase in capital stock,
8 \$13,728,263, to remain available until expended.

9 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

10 The United States Governor of the Asian Develop-
11 ment Bank may subscribe without fiscal year limitation
12 to the callable capital portion of the United States share
13 of such capital stock in an amount not to exceed
14 \$672,745,205.

15 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

16 For the United States contribution by the Secretary
17 of the Treasury to the increase in resources of the Asian
18 Development Fund, as authorized by the Asia Develop-
19 ment Bank Act, as amended, \$77,000,000, to remain
20 available until expended, for contributions previously due.

21 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

22 For the United States contribution by the Secretary
23 of the Treasury to the increase in resources of the African
24 Development Fund, \$78,000,000, to remain available until
25 expended.

1 CONTRIBUTION TO THE EUROPEAN BANK FOR
2 RECONSTRUCTION AND DEVELOPMENT

3 For payment to the European Bank for Reconstruct-
4 tion and Development by the Secretary of the Treasury,
5 \$35,778,717, for the United States share of the paid-in
6 portion of the increase in capital stock, to remain available
7 until expended.

8 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

9 The United States Governor of the European Bank
10 for Reconstruction and Development may subscribe with-
11 out fiscal year limitation to the callable capital portion of
12 the United States share of such capital stock in an amount
13 not to exceed \$123,237,803.

14 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

15 For necessary expenses to carry out the provisions
16 of section 301 of the Foreign Assistance Act of 1961, and
17 of section 2 of the United Nations Environment Program
18 Participation Act of 1973, \$170,000,000: *Provided*, That
19 none of the funds appropriated under this heading shall
20 be made available for the United Nations Fund for
21 Science and Technology: *Provided further*, That not less
22 than \$5,000,000 should be made available to the World
23 Food Program: *Provided further*, That none of the funds
24 appropriated under this heading may be made available
25 to the Korean Peninsula Energy Development Organiza-

tion (KEDO) or the International Atomic Energy Agency (IAEA).

TITLE V—GENERAL PROVISIONS

OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

SEC. 501. Except for the appropriations entitled “International Disaster Assistance”, and “United States Emergency Refugee and Migration Assistance Fund”, not more than 15 percent of any appropriation item made available by this Act shall be obligated during the last month of availability.

PROHIBITION OF BILATERAL FUNDING FOR

INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 502. Notwithstanding section 614 of the Foreign Assistance Act of 1961, none of the funds contained in title II of this Act may be used to carry out the provisions of section 209(d) of the Foreign Assistance Act of 1961: *Provided*, That none of the funds appropriated by title II of this Act may be transferred by the Agency for International Development directly to an international financial institution (as defined in section 533 of this Act) for the purpose of repaying a foreign country’s loan obligations to such institution.

LIMITATION ON RESIDENCE EXPENSES

SEC. 503. Of the funds appropriated or made available pursuant to this Act, not to exceed \$126,500 shall be for official residence expenses of the Agency for Inter-

1 national Development during the current fiscal year: *Pro-*
2 *vided*, That appropriate steps shall be taken to assure
3 that, to the maximum extent possible, United States-
4 owned foreign currencies are utilized in lieu of dollars.

5 LIMITATION ON EXPENSES

6 SEC. 504. Of the funds appropriated or made avail-
7 able pursuant to this Act, not to exceed \$5,000 shall be
8 for entertainment expenses of the Agency for International
9 Development during the current fiscal year.

10 LIMITATION ON REPRESENTATIONAL ALLOWANCES

11 SEC. 505. Of the funds appropriated or made avail-
12 able pursuant to this Act, not to exceed \$95,000 shall be
13 available for representation allowances for the Agency for
14 International Development during the current fiscal year:
15 *Provided*, That appropriate steps shall be taken to assure
16 that, to the maximum extent possible, United States-
17 owned foreign currencies are utilized in lieu of dollars:
18 *Provided further*, That of the funds made available by this
19 Act for general costs of administering military assistance
20 and sales under the heading “Foreign Military Financing
21 Program”, not to exceed \$2,000 shall be available for en-
22 tertainment expenses and not to exceed \$50,000 shall be
23 available for representation allowances: *Provided further*,
24 That of the funds made available by this Act under the
25 heading “International Military Education and Training”,
26 not to exceed \$50,000 shall be available for entertainment

1 allowances: *Provided further*, That of the funds made
2 available by this Act for the Inter-American Foundation,
3 not to exceed \$2,000 shall be available for entertainment
4 and representation allowances: *Provided further*, That of
5 the funds made available by this Act for the Peace Corps,
6 not to exceed a total of \$4,000 shall be available for enter-
7 tainment expenses: *Provided further*, That of the funds
8 made available by this Act under the heading “Trade and
9 Development Agency”, not to exceed \$2,000 shall be avail-
10 able for representation and entertainment allowances.

11 PROHIBITION ON FINANCING NUCLEAR GOODS

12 SEC. 506. None of the funds appropriated or made
13 available (other than funds for “Nonproliferation, Anti-
14 terrorism, Demining and Related Programs”) pursuant to
15 this Act, for carrying out the Foreign Assistance Act of
16 1961, may be used, except for purposes of nuclear safety,
17 to finance the export of nuclear equipment, fuel, or tech-
18 nology.

19 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
20 COUNTRIES

21 SEC. 507. None of the funds appropriated or other-
22 wise made available pursuant to this Act shall be obligated
23 or expended to finance directly any assistance or repara-
24 tions to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or
25 Syria: *Provided*, That for purposes of this section, the pro-
26 hibition on obligations or expenditures shall include direct

1 loans, credits, insurance and guarantees of the Export-Im-
2 port Bank or its agents.

3 MILITARY COUPS

4 SEC. 508. None of the funds appropriated or other-
5 wise made available pursuant to this Act shall be obligated
6 or expended to finance directly any assistance to any coun-
7 try whose duly elected head of government is deposed by
8 military coup or decree: *Provided*, That assistance may be
9 resumed to such country if the President determines and
10 reports to the Committees on Appropriations that subse-
11 quent to the termination of assistance a democratically
12 elected government has taken office.

13 TRANSFERS BETWEEN ACCOUNTS

14 SEC. 509. None of the funds made available by this
15 Act may be obligated under an appropriation account to
16 which they were not appropriated, except for transfers
17 specifically provided for in this Act, unless the President,
18 prior to the exercise of any authority contained in the For-
19 eign Assistance Act of 1961 to transfer funds, consults
20 with and provides a written policy justification to the
21 Committees on Appropriations of the House of Represent-
22 atives and the Senate.

23 DEOBLIGATION/REOBLIGATION AUTHORITY

24 SEC. 510. (a) Amounts certified pursuant to section
25 1311 of the Supplemental Appropriations Act, 1955, as
26 having been obligated against appropriations heretofore

1 made under the authority of the Foreign Assistance Act
2 of 1961 for the same general purpose as any of the head-
3 ings under title II of this Act are, if deobligated, hereby
4 continued available for the same period as the respective
5 appropriations under such headings or until September
6 30, 2000, whichever is later, and for the same general pur-
7 pose, and for countries within the same region as origi-
8 nally obligated: *Provided*, That the Appropriations Com-
9 mittees of both Houses of the Congress are notified 15
10 days in advance of the reobligation of such funds in ac-
11 cordance with regular notification procedures of the Com-
12 mittees on Appropriations.

13 (b) Obligated balances of funds appropriated to carry
14 out section 23 of the Arms Export Control Act as of the
15 end of the fiscal year immediately preceding the current
16 fiscal year are, if deobligated, hereby continued available
17 during the current fiscal year for the same purpose under
18 any authority applicable to such appropriations under this
19 Act: *Provided*, That the authority of this subsection may
20 not be used in fiscal year 2000.

21 AVAILABILITY OF FUNDS

22 SEC. 511. No part of any appropriation contained in
23 this Act shall remain available for obligation after the ex-
24 piration of the current fiscal year unless expressly so pro-
25 vided in this Act: *Provided*, That funds appropriated for
26 the purposes of chapters 1, 8, and 11 of part I, section

1 667, and chapter 4 of part II of the Foreign Assistance
2 Act of 1961, as amended, and funds provided under the
3 heading “Assistance for Eastern Europe and the Baltic
4 States”, shall remain available until expended if such
5 funds are initially obligated before the expiration of their
6 respective periods of availability contained in this Act:
7 *Provided further*, That, notwithstanding any other provi-
8 sion of this Act, any funds made available for the purposes
9 of chapter 1 of part I and chapter 4 of part II of the
10 Foreign Assistance Act of 1961 which are allocated or ob-
11 ligated for cash disbursements in order to address balance
12 of payments or economic policy reform objectives, shall re-
13 main available until expended: *Provided further*, That the
14 report required by section 653(a) of the Foreign Assist-
15 ance Act of 1961 shall designate for each country, to the
16 extent known at the time of submission of such report,
17 those funds allocated for cash disbursement for balance
18 of payment and economic policy reform purposes.

19 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT
20 SEC. 512. No part of any appropriation contained in
21 this Act shall be used to furnish assistance to any country
22 which is in default during a period in excess of one cal-
23 endar year in payment to the United States of principal
24 or interest on any loan made to such country by the
25 United States pursuant to a program for which funds are
26 appropriated under this Act: *Provided*, That this section

1 and section 620(q) of the Foreign Assistance Act of 1961
2 shall not apply to funds made available for any narcotics-
3 related assistance for Colombia, Bolivia, and Peru author-
4 ized by the Foreign Assistance Act of 1961 or the Arms
5 Export Control Act.

6 COMMERCE AND TRADE

7 SEC. 513. (a) None of the funds appropriated or
8 made available pursuant to this Act for direct assistance
9 and none of the funds otherwise made available pursuant
10 to this Act to the Export-Import Bank and the Overseas
11 Private Investment Corporation shall be obligated or ex-
12 pended to finance any loan, any assistance or any other
13 financial commitments for establishing or expanding pro-
14 duction of any commodity for export by any country other
15 than the United States, if the commodity is likely to be
16 in surplus on world markets at the time the resulting pro-
17 ductive capacity is expected to become operative and if the
18 assistance will cause substantial injury to United States
19 producers of the same, similar, or competing commodity:
20 *Provided*, That such prohibition shall not apply to the Ex-
21 port-Import Bank if in the judgment of its Board of Direc-
22 tors the benefits to industry and employment in the
23 United States are likely to outweigh the injury to United
24 States producers of the same, similar, or competing com-
25 modity, and the Chairman of the Board so notifies the
26 Committees on Appropriations.

1 (b) None of the funds appropriated by this or any
2 other Act to carry out chapter 1 of part I of the Foreign
3 Assistance Act of 1961 shall be available for any testing
4 or breeding feasibility study, variety improvement or intro-
5 duction, consultancy, publication, conference, or training
6 in connection with the growth or production in a foreign
7 country of an agricultural commodity for export which
8 would compete with a similar commodity grown or pro-
9 duced in the United States: *Provided*, That this subsection
10 shall not prohibit—

11 (1) activities designed to increase food security
12 in developing countries where such activities will not
13 have a significant impact in the export of agricul-
14 tural commodities of the United States; or

15 (2) research activities intended primarily to
16 benefit American producers.

17 SURPLUS COMMODITIES

18 SEC. 514. The Secretary of the Treasury shall in-
19 struct the United States Executive Directors of the Inter-
20 national Bank for Reconstruction and Development, the
21 International Development Association, the International
22 Finance Corporation, the Inter-American Development
23 Bank, the International Monetary Fund, the Asian Devel-
24 opment Bank, the Inter-American Investment Corpora-
25 tion, the North American Development Bank, the Euro-
26 pean Bank for Reconstruction and Development, the Afri-

1 can Development Bank, and the African Development
 2 Fund to use the voice and vote of the United States to
 3 oppose any assistance by these institutions, using funds
 4 appropriated or made available pursuant to this Act, for
 5 the production or extraction of any commodity or mineral
 6 for export, if it is in surplus on world markets and if the
 7 assistance will cause substantial injury to United States
 8 producers of the same, similar, or competing commodity.

9 NOTIFICATION REQUIREMENTS

10 SEC. 515. (a) For the purposes of providing the exec-
 11 utive branch with the necessary administrative flexibility,
 12 none of the funds made available under this Act for “Child
 13 Survival and Disease Programs Fund”, “Development As-
 14 sistance”, “International Organizations and Programs”,
 15 “Trade and Development Agency”, “International Nar-
 16 cotics Control and Law Enforcement”, “Assistance for
 17 Eastern Europe and the Baltic States”, “Assistance for
 18 the Independent States of the Former Soviet Union”,
 19 “Economic Support Fund”, “Peacekeeping Operations”,
 20 “Operating Expenses of the Agency for International De-
 21 velopment”, “Operating Expenses of the Agency for Inter-
 22 national Development Office of Inspector General”, “Non-
 23 proliferation, Anti-terrorism, Demining and Related Pro-
 24 grams”, “Foreign Military Financing Program”, “Inter-
 25 national Military Education and Training”, “Peace
 26 Corps”, and “Migration and Refugee Assistance”, shall be

1 available for obligation for activities, programs, projects,
2 type of materiel assistance, countries, or other operations
3 not justified or in excess of the amount justified to the
4 Appropriations Committees for obligation under any of
5 these specific headings unless the Appropriations Commit-
6 tees of both Houses of Congress are previously notified
7 15 days in advance: *Provided*, That the President shall
8 not enter into any commitment of funds appropriated for
9 the purposes of section 23 of the Arms Export Control
10 Act for the provision of major defense equipment, other
11 than conventional ammunition, or other major defense
12 items defined to be aircraft, ships, missiles, or combat ve-
13 hicles, not previously justified to Congress or 20 percent
14 in excess of the quantities justified to Congress unless the
15 Committees on Appropriations are notified 15 days in ad-
16 vance of such commitment: *Provided further*, That this
17 section shall not apply to any reprogramming for an activ-
18 ity, program, or project under chapter 1 of part I of the
19 Foreign Assistance Act of 1961 of less than 10 percent
20 of the amount previously justified to the Congress for obli-
21 gation for such activity, program, or project for the cur-
22 rent fiscal year: *Provided further*, That the requirements
23 of this section or any similar provision of this Act or any
24 other Act, including any prior Act requiring notification
25 in accordance with the regular notification procedures of

1 the Committees on Appropriations, may be waived if fail-
2 ure to do so would pose a substantial risk to human health
3 or welfare: *Provided further*, That in case of any such
4 waiver, notification to the Congress, or the appropriate
5 congressional committees, shall be provided as early as
6 practicable, but in no event later than 3 days after taking
7 the action to which such notification requirement was ap-
8 plicable, in the context of the circumstances necessitating
9 such waiver: *Provided further*, That any notification pro-
10 vided pursuant to such a waiver shall contain an expla-
11 nation of the emergency circumstances.

12 (b) Drawdowns made pursuant to section 506(a)(2)
13 of the Foreign Assistance Act of 1961 shall be subject to
14 the regular notification procedures of the Committees on
15 Appropriations.

16 LIMITATION ON AVAILABILITY OF FUNDS FOR
17 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

18 SEC. 516. Subject to the regular notification proce-
19 dures of the Committees on Appropriations, funds appro-
20 priated under this Act or any previously enacted Act mak-
21 ing appropriations for foreign operations, export financ-
22 ing, and related programs, which are returned or not made
23 available for organizations and programs because of the
24 implementation of section 307(a) of the Foreign Assist-
25 ance Act of 1961, shall remain available for obligation
26 until September 30, 2001.

1 INDEPENDENT STATES OF THE FORMER SOVIET UNION

2 SEC. 517. (a) None of the funds appropriated under
3 the heading “Assistance for the Independent States of the
4 Former Soviet Union” shall be made available for assist-
5 ance for a government of an Independent State of the
6 former Soviet Union—

7 (1) unless that government is making progress
8 in implementing comprehensive economic reforms
9 based on market principles, private ownership, re-
10 spect for commercial contracts, and equitable treat-
11 ment of foreign private investment; and

12 (2) if that government applies or transfers
13 United States assistance to any entity for the pur-
14 pose of expropriating or seizing ownership or control
15 of assets, investments, or ventures.

16 Assistance may be furnished without regard to this sub-
17 section if the President determines that to do so is in the
18 national interest.

19 (b) None of the funds appropriated under the heading
20 “Assistance for the Independent States of the Former So-
21 viet Union” shall be made available for assistance for a
22 government of an Independent State of the former Soviet
23 Union if that government directs any action in violation
24 of the territorial integrity or national sovereignty of any
25 other Independent State of the former Soviet Union, such

1 as those violations included in the Helsinki Final Act: *Pro-*
2 *vided*, That such funds may be made available without re-
3 gard to the restriction in this subsection if the President
4 determines that to do so is in the national security interest
5 of the United States.

6 (c) None of the funds appropriated under the heading
7 “Assistance for the Independent States of the Former So-
8 viet Union” shall be made available for any state to en-
9 hance its military capability: *Provided*, That this restric-
10 tion does not apply to demilitarization, demining or non-
11 proliferation programs.

12 (d) Funds appropriated under the heading “Assist-
13 ance for the Independent States of the Former Soviet
14 Union” shall be subject to the regular notification proce-
15 dures of the Committees on Appropriations.

16 (e) Funds made available in this Act for assistance
17 for the Independent States of the former Soviet Union
18 shall be subject to the provisions of section 117 (relating
19 to environment and natural resources) of the Foreign As-
20 sistance Act of 1961.

21 (f) Funds appropriated in this or prior appropriations
22 Acts that are or have been made available for an Enter-
23 prise Fund in the Independent States of the Former So-
24 viet Union may be deposited by such Fund in interest-
25 bearing accounts prior to the disbursement of such funds

1 by the Fund for program purposes. The Fund may retain
2 for such program purposes any interest earned on such
3 deposits without returning such interest to the Treasury
4 of the United States and without further appropriation by
5 the Congress. Funds made available for Enterprise Funds
6 shall be expended at the minimum rate necessary to make
7 timely payment for projects and activities.

8 (g) In issuing new task orders, entering into con-
9 tracts, or making grants, with funds appropriated in this
10 Act or prior appropriations Acts under the headings “As-
11 sistance for the New Independent States of the Former
12 Soviet Union” and “Assistance for the Independent States
13 of the Former Soviet Union”, for projects or activities that
14 have as one of their primary purposes the fostering of pri-
15 vate sector development, the Coordinator for United
16 States Assistance to the New Independent States and the
17 implementing agency shall encourage the participation of
18 and give significant weight to contractors and grantees
19 who propose investing a significant amount of their own
20 resources (including volunteer services and in-kind con-
21 tributions) in such projects and activities.

22 PROHIBITION ON FUNDING FOR ABORTIONS AND
23 INVOLUNTARY STERILIZATION

24 SEC. 518. None of the funds made available to carry
25 out part I of the Foreign Assistance Act of 1961, as
26 amended, may be used to pay for the performance of abor-

1 tions as a method of family planning or to motivate or
2 coerce any person to practice abortions. None of the funds
3 made available to carry out part I of the Foreign Assist-
4 ance Act of 1961, as amended, may be used to pay for
5 the performance of involuntary sterilization as a method
6 of family planning or to coerce or provide any financial
7 incentive to any person to undergo sterilizations. None of
8 the funds made available to carry out part I of the Foreign
9 Assistance Act of 1961, as amended, may be used to pay
10 for any biomedical research which relates in whole or in
11 part, to methods of, or the performance of, abortions or
12 involuntary sterilization as a means of family planning.
13 None of the funds made available to carry out part I of
14 the Foreign Assistance Act of 1961, as amended, may be
15 obligated or expended for any country or organization if
16 the President certifies that the use of these funds by any
17 such country or organization would violate any of the
18 above provisions related to abortions and involuntary steri-
19 lizations: *Provided*, That none of the funds made available
20 under this Act may be used to lobby for or against abor-
21 tion.

22 EXPORT FINANCING TRANSFER AUTHORITIES

23 SEC. 519. Not to exceed 5 percent of any appropria-
24 tion other than for administrative expenses made available
25 for fiscal year 2000, for programs under title I of this
26 Act may be transferred between such appropriations for

1 use for any of the purposes, programs, and activities for
 2 which the funds in such receiving account may be used,
 3 but no such appropriation, except as otherwise specifically
 4 provided, shall be increased by more than 25 percent by
 5 any such transfer: *Provided*, That the exercise of such au-
 6 thority shall be subject to the regular notification proce-
 7 dures of the Committees on Appropriations.

8 SPECIAL NOTIFICATION REQUIREMENTS

9 SEC. 520. None of the funds appropriated by this Act
 10 shall be obligated or expended for Colombia, Haiti, Libe-
 11 ria, Pakistan, Panama, Serbia, Sudan, or the Democratic
 12 Republic of Congo except as provided through the regular
 13 notification procedures of the Committees on Appropria-
 14 tions.

15 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

16 SEC. 521. For the purpose of this Act, “program,
 17 project, and activity” shall be defined at the appropria-
 18 tions Act account level and shall include all appropriations
 19 and authorizations Acts earmarks, ceilings, and limita-
 20 tions with the exception that for the following accounts:
 21 Economic Support Fund and Foreign Military Financing
 22 Program, “program, project, and activity” shall also be
 23 considered to include country, regional, and central pro-
 24 gram level funding within each such account; for the devel-
 25 opment assistance accounts of the Agency for Inter-
 26 national Development “program, project, and activity”

1 shall also be considered to include central program level
2 funding, either as: (1) justified to the Congress; or (2)
3 allocated by the executive branch in accordance with a re-
4 port, to be provided to the Committees on Appropriations
5 within 30 days of the enactment of this Act, as required
6 by section 653(a) of the Foreign Assistance Act of 1961.

7 CHILD SURVIVAL AND DISEASE PREVENTION ACTIVITIES

8 SEC. 522. Up to \$10,000,000 of the funds made
9 available by this Act for assistance under the heading
10 “Child Survival and Disease Programs Fund”, may be
11 used to reimburse United States Government agencies,
12 agencies of State governments, institutions of higher
13 learning, and private and voluntary organizations for the
14 full cost of individuals (including for the personal services
15 of such individuals) detailed or assigned to, or contracted
16 by, as the case may be, the Agency for International De-
17 velopment for the purpose of carrying out child survival,
18 basic education, and infectious disease activities: *Provided*,
19 That up to \$1,500,000 of the funds made available by this
20 Act for assistance under the heading “Development As-
21 sistance” may be used to reimburse such agencies, institu-
22 tions, and organizations for such costs of such individuals
23 carrying out other development assistance activities: *Pro-*
24 *vided further*, That funds appropriated by this Act that
25 are made available for child survival activities or disease
26 programs including activities relating to research on, and

1 the prevention, treatment and control of, Acquired Im-
2 mune Deficiency Syndrome may be made available not-
3 withstanding any provision of law that restricts assistance
4 to foreign countries: *Provided further*, That funds appro-
5 priated under title II of this Act may be made available
6 pursuant to section 301 of the Foreign Assistance Act of
7 1961 if a primary purpose of the assistance is for child
8 survival and related programs: *Provided further*, That
9 funds appropriated by this Act that are made available
10 for family planning activities may be made available not-
11 withstanding section 512 of this Act and section 620(q)
12 of the Foreign Assistance Act of 1961.

13 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN
14 COUNTRIES

15 SEC. 523. None of the funds appropriated or other-
16 wise made available pursuant to this Act shall be obligated
17 to finance indirectly any assistance or reparations to
18 Cuba, Iraq, Libya, Iran, Syria, North Korea, or the Peo-
19 ple's Republic of China, unless the President of the United
20 States certifies that the withholding of these funds is con-
21 trary to the national interest of the United States.

22 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

23 SEC. 524. Prior to providing excess Department of
24 Defense articles in accordance with section 516(a) of the
25 Foreign Assistance Act of 1961, the Department of De-
26 fense shall notify the Committees on Appropriations to the

1 same extent and under the same conditions as are other
2 committees pursuant to subsection (f) of that section: *Pro-*
3 *vided*, That before issuing a letter of offer to sell excess
4 defense articles under the Arms Export Control Act, the
5 Department of Defense shall notify the Committees on
6 Appropriations in accordance with the regular notification
7 procedures of such Committees: *Provided further*, That
8 such Committees shall also be informed of the original ac-
9 quisition cost of such defense articles.

10 AUTHORIZATION REQUIREMENT

11 SEC. 525. Funds appropriated by this Act may be
12 obligated and expended notwithstanding section 10 of
13 Public Law 91–672 and section 15 of the State Depart-
14 ment Basic Authorities Act of 1956.

15 DEMOCRACY IN CHINA

16 SEC. 526. Notwithstanding any other provision of law
17 that restricts assistance to foreign countries, funds appro-
18 priated by this Act for “Economic Support Fund” may
19 be made available to provide general support and grants
20 for nongovernmental organizations located outside the
21 People’s Republic of China that have as their primary pur-
22 pose fostering democracy in that country, and for activi-
23 ties of nongovernmental organizations located outside the
24 People’s Republic of China to foster democracy in that
25 country: *Provided*, That none of the funds made available
26 for activities to foster democracy in the People’s Republic

1 of China may be made available for assistance to the gov-
2 ernment of that country, except that funds appropriated
3 by this Act under the heading “Economic Support Fund”
4 that are made available for the National Endowment for
5 Democracy or its grantees may be made available for ac-
6 tivities to foster democracy in that country notwith-
7 standing this proviso and any other provision of law: *Pro-*
8 *vided further*, That funds made available pursuant to the
9 authority of this section shall be subject to the regular
10 notification procedures of the Committees on Appropria-
11 tions: *Provided further*, That notwithstanding any other
12 provision of law that restricts assistance to foreign coun-
13 tries, of the funds appropriated by this Act under the
14 heading “Economic Support Fund”, \$1,000,000 shall be
15 made available to the Robert F. Kennedy Memorial Center
16 for Human Rights for a project to disseminate informa-
17 tion and support research about the People’s Republic of
18 China, and related activities.

19 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST
20 COUNTRIES

21 SEC. 527. (a) Notwithstanding any other provision
22 of law, funds appropriated for bilateral assistance under
23 any heading of this Act and funds appropriated under any
24 such heading in a provision of law enacted prior to the
25 enactment of this Act, shall not be made available to any
26 country which the President determines—

1 (1) grants sanctuary from prosecution to any
2 individual or group which has committed an act of
3 international terrorism; or

4 (2) otherwise supports international terrorism.

5 (b) The President may waive the application of sub-
6 section (a) to a country if the President determines that
7 national security or humanitarian reasons justify such
8 waiver. The President shall publish each waiver in the
9 Federal Register and, at least 15 days before the waiver
10 takes effect, shall notify the Committees on Appropria-
11 tions of the waiver (including the justification for the waiv-
12 er) in accordance with the regular notification procedures
13 of the Committees on Appropriations.

14 COMMERCIAL LEASING OF DEFENSE ARTICLES

15 SEC. 528. Notwithstanding any other provision of
16 law, and subject to the regular notification procedures of
17 the Committees on Appropriations, the authority of sec-
18 tion 23(a) of the Arms Export Control Act may be used
19 to provide financing to Israel, Egypt and NATO and
20 major non-NATO allies for the procurement by leasing
21 (including leasing with an option to purchase) of defense
22 articles from United States commercial suppliers, not in-
23 cluding Major Defense Equipment (other than helicopters
24 and other types of aircraft having possible civilian applica-
25 tion), if the President determines that there are compel-
26 ling foreign policy or national security reasons for those

1 defense articles being provided by commercial lease rather
2 than by government-to-government sale under such Act.

3 COMPETITIVE INSURANCE

4 SEC. 529. All Agency for International Development
5 contracts and solicitations, and subcontracts entered into
6 under such contracts, shall include a clause requiring that
7 United States insurance companies have a fair oppor-
8 tunity to bid for insurance when such insurance is nec-
9 essary or appropriate.

10 STINGERS IN THE PERSIAN GULF REGION

11 SEC. 530. Except as provided in section 581 of the
12 Foreign Operations, Export Financing, and Related Pro-
13 grams Appropriations Act, 1990, the United States may
14 not sell or otherwise make available any Stingers to any
15 country bordering the Persian Gulf under the Arms Ex-
16 port Control Act or chapter 2 of part II of the Foreign
17 Assistance Act of 1961.

18 DEBT-FOR-DEVELOPMENT

19 SEC. 531. In order to enhance the continued partici-
20 pation of nongovernmental organizations in economic as-
21 sistance activities under the Foreign Assistance Act of
22 1961, including endowments, debt-for-development and
23 debt-for-nature exchanges, a nongovernmental organiza-
24 tion which is a grantee or contractor of the Agency for
25 International Development may place in interest bearing
26 accounts funds made available under this Act or prior Acts

1 or local currencies which accrue to that organization as
 2 a result of economic assistance provided under title II of
 3 this Act and any interest earned on such investment shall
 4 be used for the purpose for which the assistance was pro-
 5 vided to that organization.

6 SEPARATE ACCOUNTS

7 SEC. 532. (a) SEPARATE ACCOUNTS FOR LOCAL
 8 CURRENCIES.—(1) If assistance is furnished to the gov-
 9 ernment of a foreign country under chapters 1 and 10 of
 10 part I or chapter 4 of part II of the Foreign Assistance
 11 Act of 1961 under agreements which result in the genera-
 12 tion of local currencies of that country, the Administrator
 13 of the Agency for International Development shall—

14 (A) require that local currencies be deposited in
 15 a separate account established by that government;

16 (B) enter into an agreement with that govern-
 17 ment which sets forth—

18 (i) the amount of the local currencies to be
 19 generated; and

20 (ii) the terms and conditions under which
 21 the currencies so deposited may be utilized, con-
 22 sistent with this section; and

23 (C) establish by agreement with that govern-
 24 ment the responsibilities of the Agency for Inter-
 25 national Development and that government to mon-

1 itor and account for deposits into and disbursements
2 from the separate account.

3 (2) USES OF LOCAL CURRENCIES.—As may be
4 agreed upon with the foreign government, local currencies
5 deposited in a separate account pursuant to subsection
6 (a), or an equivalent amount of local currencies, shall be
7 used only—

8 (A) to carry out chapters 1 or 10 of part I or
9 chapter 4 of part II (as the case may be), for such
10 purposes as—

11 (i) project and sector assistance activities;

12 or

13 (ii) debt and deficit financing; or

14 (B) for the administrative requirements of the
15 United States Government.

16 (3) PROGRAMMING ACCOUNTABILITY.—The Agency
17 for International Development shall take all necessary
18 steps to ensure that the equivalent of the local currencies
19 disbursed pursuant to subsection (a)(2)(A) from the sepa-
20 rate account established pursuant to subsection (a)(1) are
21 used for the purposes agreed upon pursuant to subsection
22 (a)(2).

23 (4) TERMINATION OF ASSISTANCE PROGRAMS.—
24 Upon termination of assistance to a country under chap-
25 ters 1 or 10 of part I or chapter 4 of part II (as the case

1 may be), any unencumbered balances of funds which re-
2 main in a separate account established pursuant to sub-
3 section (a) shall be disposed of for such purposes as may
4 be agreed to by the government of that country and the
5 United States Government.

6 (5) REPORTING REQUIREMENT.—The Administrator
7 of the Agency for International Development shall report
8 on an annual basis as part of the justification documents
9 submitted to the Committees on Appropriations on the use
10 of local currencies for the administrative requirements of
11 the United States Government as authorized in subsection
12 (a)(2)(B), and such report shall include the amount of
13 local currency (and United States dollar equivalent) used
14 and/or to be used for such purpose in each applicable
15 country.

16 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—
17 (1) If assistance is made available to the government of
18 a foreign country, under chapters 1 or 10 of part I or
19 chapter 4 of part II of the Foreign Assistance Act of 1961,
20 as cash transfer assistance or as nonproject sector assist-
21 ance, that country shall be required to maintain such
22 funds in a separate account and not commingle them with
23 any other funds.

24 (2) APPLICABILITY OF OTHER PROVISIONS OF
25 LAW.—Such funds may be obligated and expended not-

1 withstanding provisions of law which are inconsistent with
2 the nature of this assistance including provisions which
3 are referenced in the Joint Explanatory Statement of the
4 Committee of Conference accompanying House Joint Res-
5 olution 648 (H. Report No. 98–1159).

6 (3) NOTIFICATION.—At least 15 days prior to obli-
7 gating any such cash transfer or nonproject sector assist-
8 ance, the President shall submit a notification through the
9 regular notification procedures of the Committees on Ap-
10 propriations, which shall include a detailed description of
11 how the funds proposed to be made available will be used,
12 with a discussion of the United States interests that will
13 be served by the assistance (including, as appropriate, a
14 description of the economic policy reforms that will be pro-
15 moted by such assistance).

16 (4) EXEMPTION.—Nonproject sector assistance funds
17 may be exempt from the requirements of subsection (b)(1)
18 only through the notification procedures of the Commit-
19 tees on Appropriations.

20 COMPENSATION FOR UNITED STATES EXECUTIVE
21 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

22 SEC. 533. (a) No funds appropriated by this Act may
23 be made as payment to any international financial institu-
24 tion while the United States Executive Director to such
25 institution is compensated by the institution at a rate
26 which, together with whatever compensation such Director

1 receives from the United States, is in excess of the rate
2 provided for an individual occupying a position at level IV
3 of the Executive Schedule under section 5315 of title 5,
4 United States Code, or while any alternate United States
5 Director to such institution is compensated by the institu-
6 tion at a rate in excess of the rate provided for an indi-
7 vidual occupying a position at level V of the Executive
8 Schedule under section 5316 of title 5, United States
9 Code.

10 (b) For purposes of this section, “international finan-
11 cial institutions” are: the International Bank for Recon-
12 struction and Development, the Inter-American Develop-
13 ment Bank, the Asian Development Bank, the Asian De-
14 velopment Fund, the African Development Bank, the Afri-
15 can Development Fund, the International Monetary Fund,
16 the North American Development Bank, and the Euro-
17 pean Bank for Reconstruction and Development.

18 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST

19 IRAQ

20 SEC. 534. None of the funds appropriated or other-
21 wise made available pursuant to this Act to carry out the
22 Foreign Assistance Act of 1961 (including title IV of
23 chapter 2 of part I, relating to the Overseas Private In-
24 vestment Corporation) or the Arms Export Control Act
25 may be used to provide assistance to any country that is
26 not in compliance with the United Nations Security Coun-

1 cil sanctions against Iraq unless the President determines
2 and so certifies to the Congress that—

3 (1) such assistance is in the national interest of
4 the United States;

5 (2) such assistance will directly benefit the
6 needy people in that country; or

7 (3) the assistance to be provided will be human-
8 itarian assistance for foreign nationals who have fled
9 Iraq and Kuwait.

10 AUTHORITIES FOR THE PEACE CORPS, INTERNATIONAL
11 FUND FOR AGRICULTURAL DEVELOPMENT, INTER-
12 AMERICAN FOUNDATION AND AFRICAN DEVELOP-
13 MENT FOUNDATION

14 SEC. 535. (a) Unless expressly provided to the con-
15 trary, provisions of this or any other Act, including provi-
16 sions contained in prior Acts authorizing or making appro-
17 priations for foreign operations, export financing, and re-
18 lated programs, shall not be construed to prohibit activi-
19 ties authorized by or conducted under the Peace Corps
20 Act, the Inter-American Foundation Act or the African
21 Development Foundation Act. The agency shall promptly
22 report to the Committees on Appropriations whenever it
23 is conducting activities or is proposing to conduct activi-
24 ties in a country for which assistance is prohibited.

25 (b) Unless expressly provided to the contrary, limita-
26 tions on the availability of funds for “International Orga-

1 nizations and Programs” in this or any other Act, includ-
2 ing prior appropriations Acts, shall not be construed to
3 be applicable to the International Fund for Agricultural
4 Development.

5 IMPACT ON JOBS IN THE UNITED STATES

6 SEC. 536. None of the funds appropriated by this Act
7 may be obligated or expended to provide—

8 (a) any financial incentive to a business enter-
9 prise currently located in the United States for the
10 purpose of inducing such an enterprise to relocate
11 outside the United States if such incentive or in-
12 ducement is likely to reduce the number of employ-
13 ees of such business enterprise in the United States
14 because United States production is being replaced
15 by such enterprise outside the United States;

16 (b) assistance for the purpose of establishing or
17 developing in a foreign country any export proc-
18 essing zone or designated area in which the tax, tar-
19 iff, labor, environment, and safety laws of that coun-
20 try do not apply, in part or in whole, to activities
21 carried out within that zone or area, unless the
22 President determines and certifies that such assist-
23 ance is not likely to cause a loss of jobs within the
24 United States; or

25 (c) assistance for any project or activity that
26 contributes to the violation of internationally recog-

1 nized workers rights, as defined in section 502(a)(4)
 2 of the Trade Act of 1974, of workers in the recipient
 3 country, including any designated zone or area in
 4 that country: *Provided*, That in recognition that the
 5 application of this subsection should be commensu-
 6 rate with the level of development of the recipient
 7 country and sector, the provisions of this subsection
 8 shall not preclude assistance for the informal sector
 9 in such country, micro and small-scale enterprise,
 10 and smallholder agriculture.

11 FUNDING PROHIBITION FOR SERBIA

12 SEC. 537. None of the funds appropriated by this Act
 13 may be made available for assistance for the Republic of
 14 Serbia: *Provided*, That this restriction shall not apply to
 15 assistance for Kosova or Montenegro, or to assistance to
 16 promote democratization: *Provided further*, That section
 17 620(t) of the Foreign Assistance Act of 1961, as amended,
 18 shall not apply to Kosova or Montenegro.

19 SPECIAL AUTHORITIES

20 SEC. 538. (a) Funds appropriated in titles I and II
 21 of this Act that are made available for Afghanistan, Leb-
 22 anon, Montenegro, and for victims of war, displaced chil-
 23 dren, displaced Burmese, humanitarian assistance for Ro-
 24 mania, and humanitarian assistance for the peoples of
 25 Kosova, may be made available notwithstanding any other
 26 provision of law: *Provided*, That any such funds that are

1 made available for Cambodia shall be subject to the provi-
2 sions of section 531(e) of the Foreign Assistance Act of
3 1961 and section 906 of the International Security and
4 Development Cooperation Act of 1985.

5 (b) Funds appropriated by this Act to carry out the
6 provisions of sections 103 through 106 of the Foreign As-
7 sistance Act of 1961 may be used, notwithstanding any
8 other provision of law, for the purpose of supporting trop-
9 ical forestry and biodiversity conservation activities and,
10 subject to the regular notification procedures of the Com-
11 mittees on Appropriations, energy programs aimed at re-
12 ducing greenhouse gas emissions: *Provided*, That such as-
13 sistance shall be subject to sections 116, 502B, and 620A
14 of the Foreign Assistance Act of 1961.

15 (c) The Agency for International Development may
16 employ personal services contractors, notwithstanding any
17 other provision of law, for the purpose of administering
18 programs for the West Bank and Gaza.

19 (d)(1) WAIVER.—The President may waive the provi-
20 sions of section 1003 of Public Law 100–204 if the Presi-
21 dent determines and certifies in writing to the Speaker
22 of the House of Representatives and the President pro
23 tempore of the Senate that it is important to the national
24 security interests of the United States.

7 SEC. 539. It is the sense of the Congress that—

(2) the decision by the Arab League in 1997 to
reinststate the boycott against Israel was deeply trou-
bling and disappointing;

20 (4) the President should—

(A) take more concrete steps to encourage vigorously Arab League countries to renounce publicly the primary boycotts of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel as a confidence-building measure;

1 (B) take into consideration the participa-
2 tion of any recipient country in the primary
3 boycott of Israel and the secondary and tertiary
4 boycotts of American firms that have commer-
5 cial relations with Israel when determining
6 whether to sell weapons to said country;

7 (C) report to Congress on the specific
8 steps being taken by the President to bring
9 about a public renunciation of the Arab primary
10 boycott of Israel and the secondary and tertiary
11 boycotts of American firms that have commer-
12 cial relations with Israel and to expand the
13 process of normalizing ties between Arab
14 League countries and Israel; and

15 (D) encourage the allies and trading part-
16 ners of the United States to enact laws prohib-
17 iting businesses from complying with the boy-
18 cott and penalizing businesses that do comply.

19 ANTI-NARCOTICS ACTIVITIES

20 SEC. 540. Of the funds appropriated or otherwise
21 made available by this Act for “Economic Support Fund”,
22 assistance may be provided to strengthen the administra-
23 tion of justice in countries in Latin America and the Car-
24 ibbean and in other regions consistent with the provisions
25 of section 534(b) of the Foreign Assistance Act of 1961,
26 except that programs to enhance protection of participants

1 in judicial cases may be conducted notwithstanding section
2 660 of that Act. Funds made available pursuant to this
3 section may be made available notwithstanding section
4 534(c) and the second and third sentences of section
5 534(e) of the Foreign Assistance Act of 1961.

6 ELIGIBILITY FOR ASSISTANCE

7 SEC. 541. (a) ASSISTANCE THROUGH NONGOVERN-
8 MENTAL ORGANIZATIONS.—Restrictions contained in this
9 or any other Act with respect to assistance for a country
10 shall not be construed to restrict assistance in support of
11 programs of nongovernmental organizations from funds
12 appropriated by this Act to carry out the provisions of
13 chapters 1, 10, and 11 of part I and chapter 4 of part
14 II of the Foreign Assistance Act of 1961, and from funds
15 appropriated under the heading “Assistance for Eastern
16 Europe and the Baltic States”: *Provided*, That the Presi-
17 dent shall take into consideration, in any case in which
18 a restriction on assistance would be applicable but for this
19 subsection, whether assistance in support of programs of
20 nongovernmental organizations is in the national interest
21 of the United States: *Provided further*, That before using
22 the authority of this subsection to furnish assistance in
23 support of programs of nongovernmental organizations,
24 the President shall notify the Committees on Appropria-
25 tions under the regular notification procedures of those
26 committees, including a description of the program to be

1 assisted, the assistance to be provided, and the reasons
2 for furnishing such assistance: *Provided further*, That
3 nothing in this subsection shall be construed to alter any
4 existing statutory prohibitions against abortion or involun-
5 tary sterilizations contained in this or any other Act.

6 (b) PUBLIC LAW 480.—During fiscal year 2000, re-
7 strictions contained in this or any other Act with respect
8 to assistance for a country shall not be construed to re-
9 strict assistance under the Agricultural Trade Develop-
10 ment and Assistance Act of 1954: *Provided*, That none
11 of the funds appropriated to carry out title I of such Act
12 and made available pursuant to this subsection may be
13 obligated or expended except as provided through the reg-
14 ular notification procedures of the Committees on Appro-
15 priations.

16 (c) EXCEPTION.—This section shall not apply—

17 (1) with respect to section 620A of the Foreign
18 Assistance Act or any comparable provision of law
19 prohibiting assistance to countries that support
20 international terrorism; or

21 (2) with respect to section 116 of the Foreign
22 Assistance Act of 1961 or any comparable provision
23 of law prohibiting assistance to countries that violate
24 internationally recognized human rights.

EARMARKS

1
2 SEC. 542. (a) Funds appropriated by this Act which
3 are earmarked may be reprogrammed for other programs
4 within the same account notwithstanding the earmark if
5 compliance with the earmark is made impossible by oper-
6 ation of any provision of this or any other Act or, with
7 respect to a country with which the United States has an
8 agreement providing the United States with base rights
9 or base access in that country, if the President determines
10 that the recipient for which funds are earmarked has sig-
11 nificantly reduced its military or economic cooperation
12 with the United States since the enactment of the Foreign
13 Operations, Export Financing, and Related Programs Ap-
14 propriations Act, 1991; however, before exercising the au-
15 thority of this subsection with regard to a base rights or
16 base access country which has significantly reduced its
17 military or economic cooperation with the United States,
18 the President shall consult with, and shall provide a writ-
19 ten policy justification to the Committees on Appropria-
20 tions: *Provided*, That any such reprogramming shall be
21 subject to the regular notification procedures of the Com-
22 mittees on Appropriations: *Provided further*, That assist-
23 ance that is reprogrammed pursuant to this subsection
24 shall be made available under the same terms and condi-
25 tions as originally provided.

1 (b) In addition to the authority contained in sub-
2 section (a), the original period of availability of funds ap-
3 propriated by this Act and administered by the Agency
4 for International Development that are earmarked for par-
5 ticular programs or activities by this or any other Act shall
6 be extended for an additional fiscal year if the Adminis-
7 trator of such agency determines and reports promptly to
8 the Committees on Appropriations that the termination of
9 assistance to a country or a significant change in cir-
10 cumstances makes it unlikely that such earmarked funds
11 can be obligated during the original period of availability:
12 *Provided*, That such earmarked funds that are continued
13 available for an additional fiscal year shall be obligated
14 only for the purpose of such earmark.

15 CEILINGS AND EARMARKS

16 SEC. 543. Ceilings and earmarks contained in this
17 Act shall not be applicable to funds or authorities appro-
18 priated or otherwise made available by any subsequent Act
19 unless such Act specifically so directs. Earmarks or min-
20 imum funding requirements contained in any other Act
21 shall not be applicable to funds appropriated by this Act.

22 PROHIBITION ON PUBLICITY OR PROPAGANDA

23 SEC. 544. No part of any appropriation contained in
24 this Act shall be used for publicity or propaganda purposes
25 within the United States not authorized before the date
26 of the enactment of this Act by the Congress: *Provided*,

1 That not to exceed \$750,000 may be made available to
2 carry out the provisions of section 316 of Public Law 96–
3 533.

4 PURCHASE OF AMERICAN-MADE EQUIPMENT AND
5 PRODUCTS

6 SEC. 545. (a) To the maximum extent possible, as-
7 sistance provided under this Act should make full use of
8 American resources, including commodities, products, and
9 services.

10 (b) It is the sense of the Congress that, to the great-
11 est extent practicable, all agriculture commodities, equip-
12 ment and products purchased with funds made available
13 in this Act should be American-made.

14 (c) In providing financial assistance to, or entering
15 into any contract with, any entity using funds made avail-
16 able in this Act, the head of each Federal agency, to the
17 greatest extent practicable, shall provide to such entity a
18 notice describing the statement made in subsection (b) by
19 the Congress.

20 (d) The Secretary of the Treasury shall report to
21 Congress annually on the efforts of the heads of each Fed-
22 eral agency and the United States directors of inter-
23 national financial institutions (as referenced in section
24 514) in complying with this sense of Congress.

13 CONSULTING SERVICES

22 PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

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1 the auditing requirements of the Agency for International
2 Development.

3 PROHIBITION ON ASSISTANCE TO FOREIGN GOVERN-
4 MENTS THAT EXPORT LETHAL MILITARY EQUIP-
5 MENT TO COUNTRIES SUPPORTING INTERNATIONAL
6 TERRORISM

7 SEC. 549. (a) None of the funds appropriated or oth-
8 erwise made available by this Act may be available to any
9 foreign government which provides lethal military equip-
10 ment to a country the government of which the Secretary
11 of State has determined is a terrorist government for pur-
12 poses of section 40(d) of the Arms Export Control Act.
13 The prohibition under this section with respect to a for-
14 eign government shall terminate 12 months after that gov-
15 ernment ceases to provide such military equipment. This
16 section applies with respect to lethal military equipment
17 provided under a contract entered into after October 1,
18 1997.

19 (b) Assistance restricted by subsection (a) or any
20 other similar provision of law, may be furnished if the
21 President determines that furnishing such assistance is
22 important to the national interests of the United States.

23 (c) Whenever the waiver of subsection (b) is exer-
24 cised, the President shall submit to the appropriate con-
25 gressional committees a report with respect to the fur-
26 nishing of such assistance. Any such report shall include

1 a detailed explanation of the assistance to be provided, in-
2 cluding the estimated dollar amount of such assistance,
3 and an explanation of how the assistance furthers United
4 States national interests.

5 WITHHOLDING OF ASSISTANCE FOR PARKING FINES
6 OWED BY FOREIGN COUNTRIES

7 SEC. 550. (a) IN GENERAL.—Of the funds made
8 available for a foreign country under part I of the Foreign
9 Assistance Act of 1961, an amount equivalent to 110 per-
10 cent of the total unpaid fully adjudicated parking fines
11 and penalties owed to the District of Columbia by such
12 country as of the date of the enactment of this Act shall
13 be withheld from obligation for such country until the Sec-
14 retary of State certifies and reports in writing to the ap-
15 propriate congressional committees that such fines and
16 penalties are fully paid to the government of the District
17 of Columbia.

18 (b) DEFINITION.—For purposes of this section, the
19 term “appropriate congressional committees” means the
20 Committee on Foreign Relations and the Committee on
21 Appropriations of the Senate and the Committee on Inter-
22 national Relations and the Committee on Appropriations
23 of the House of Representatives.

1 LIMITATION ON ASSISTANCE FOR THE PLO FOR THE
2 WEST BANK AND GAZA

3 SEC. 551. None of the funds appropriated by this Act
4 may be obligated for assistance for the Palestine Libera-
5 tion Organization for the West Bank and Gaza unless the
6 President has exercised the authority under section 604(a)
7 of the Middle East Peace Facilitation Act of 1995 (title
8 VI of Public Law 104–107) or any other legislation to sus-
9 pend or make inapplicable section 307 of the Foreign As-
10 sistance Act of 1961 and that suspension is still in effect:
11 *Provided*, That if the President fails to make the certifi-
12 cation under section 604(b)(2) of the Middle East Peace
13 Facilitation Act of 1995 or to suspend the prohibition
14 under other legislation, funds appropriated by this Act
15 may not be obligated for assistance for the Palestine Lib-
16 eration Organization for the West Bank and Gaza.

17 WAR CRIMES TRIBUNALS DRAWDOWN

18 SEC. 552. If the President determines that doing so
19 will contribute to a just resolution of charges regarding
20 genocide or other violations of international humanitarian
21 law, the President may direct a drawdown pursuant to sec-
22 tion 552(c) of the Foreign Assistance Act of 1961, as
23 amended, of up to \$30,000,000 of commodities and serv-
24 ices for the United Nations War Crimes Tribunal estab-
25 lished with regard to the former Yugoslavia by the United
26 Nations Security Council or such other tribunals or com-

1 missions as the Council may establish to deal with such
2 violations, without regard to the ceiling limitation con-
3 tained in paragraph (2) thereof: *Provided*, That the deter-
4 mination required under this section shall be in lieu of
5 any determinations otherwise required under section
6 552(c): *Provided further*, That 60 days after the date of
7 the enactment of this Act, and every 180 days thereafter,
8 the Secretary of State shall submit a report to the Com-
9 mittees on Appropriations describing the steps the United
10 States Government is taking to collect information regard-
11 ing allegations of genocide or other violations of inter-
12 national law in the former Yugoslavia and to furnish that
13 information to the United Nations War Crimes Tribunal
14 for the former Yugoslavia: *Provided further*, That the
15 drawdown made under this section for any tribunal shall
16 not be construed as an endorsement or precedent for the
17 establishment of any standing or permanent international
18 criminal tribunal or court: *Provided further*, That funds
19 made available for tribunals other than Yugoslavia or
20 Rwanda shall be made available subject to the regular no-
21 tification procedures of the Committees on Appropria-
22 tions.

23 LANDMINES

24 SEC. 553. Notwithstanding any other provision of
25 law, demining equipment available to the Agency for Inter-
26 national Development and the Department of State and

1 used in support of the clearance of landmines and
 2 unexploded ordnance for humanitarian purposes may be
 3 disposed of on a grant basis in foreign countries, subject
 4 to such terms and conditions as the President may pre-
 5 scribe: *Provided*, That section 1365(c) of the National De-
 6 fense Authorization Act for Fiscal Year 1993 (Public Law
 7 102–484; 22 U.S.C., 2778 note) is amended by striking
 8 out “During the five-year period beginning on October 23,
 9 1992” and inserting in lieu thereof “During the eleven-
 10 year period beginning on October 23, 1992”.

11 RESTRICTIONS CONCERNING THE PALESTINIAN

12 AUTHORITY

13 SEC. 554. None of the funds appropriated by this Act
 14 may be obligated or expended to create in any part of Je-
 15 rusalem a new office of any department or agency of the
 16 United States Government for the purpose of conducting
 17 official United States Government business with the Pal-
 18 estinian Authority over Gaza and Jericho or any successor
 19 Palestinian governing entity provided for in the Israel-
 20 PLO Declaration of Principles: *Provided*, That this re-
 21 striction shall not apply to the acquisition of additional
 22 space for the existing Consulate General in Jerusalem:
 23 *Provided further*, That meetings between officers and em-
 24 ployees of the United States and officials of the Pales-
 25 tinian Authority, or any successor Palestinian governing
 26 entity provided for in the Israel-PLO Declaration of Prin-

1 ciples, for the purpose of conducting official United States
 2 Government business with such authority should continue
 3 to take place in locations other than Jerusalem. As has
 4 been true in the past, officers and employees of the United
 5 States Government may continue to meet in Jerusalem on
 6 other subjects with Palestinians (including those who now
 7 occupy positions in the Palestinian Authority), have social
 8 contacts, and have incidental discussions.

9 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

10 SEC. 555. None of the funds appropriated or other-
 11 wise made available by this Act under the headings “Inter-
 12 national Military Education and Training” or “Foreign
 13 Military Financing Program” for Informational Program
 14 activities or under the headings “Child Survival and Dis-
 15 ease Programs Fund”, “Development Assistance”, and
 16 “Economic Support Fund” may be obligated or expended
 17 to pay for—

- 18 (1) alcoholic beverages; or
- 19 (2) entertainment expenses for activities that
- 20 are substantially of a recreational character, includ-
- 21 ing entrance fees at sporting events and amusement
- 22 parks.

23 COMPETITIVE PRICING FOR SALES OF DEFENSE

24 ARTICLES

25 SEC. 556. Direct costs associated with meeting a for-
 26 eign customer’s additional or unique requirements will

1 continue to be allowable under contracts under section
2 22(d) of the Arms Export Control Act. Loadings applica-
3 ble to such direct costs shall be permitted at the same
4 rates applicable to procurement of like items purchased
5 by the Department of Defense for its own use.

6 SPECIAL DEBT RELIEF FOR THE POOREST

7 SEC. 557. (a) AUTHORITY TO REDUCE DEBT.—The
8 President may reduce amounts owed to the United States
9 (or any agency of the United States) by an eligible country
10 as a result of—

11 (1) guarantees issued under sections 221 and
12 222 of the Foreign Assistance Act of 1961;

13 (2) credits extended or guarantees issued under
14 the Arms Export Control Act; or

15 (3) any obligation or portion of such obligation
16 for a Latin American country, to pay for purchases
17 of United States agricultural commodities guaran-
18 teed by the Commodity Credit Corporation under ex-
19 port credit guarantee programs authorized pursuant
20 to section 5(f) of the Commodity Credit Corporation
21 Charter Act of June 29, 1948, as amended, section
22 4(b) of the Food for Peace Act of 1966, as amended
23 (Public Law 89–808), or section 202 of the Agricul-
24 tural Trade Act of 1978, as amended (Public Law
25 95–501).

26 (b) LIMITATIONS.—

1 (1) The authority provided by subsection (a)
2 may be exercised only to implement multilateral offi-
3 cial debt relief ad referendum agreements, commonly
4 referred to as “Paris Club Agreed Minutes”.

5 (2) The authority provided by subsection (a)
6 may be exercised only in such amounts or to such
7 extent as is provided in advance by appropriations
8 Acts.

9 (3) The authority provided by subsection (a)
10 may be exercised only with respect to countries with
11 heavy debt burdens that are eligible to borrow from
12 the International Development Association, but not
13 from the International Bank for Reconstruction and
14 Development, commonly referred to as “IDA-only”
15 countries.

16 (c) CONDITIONS.—The authority provided by sub-
17 section (a) may be exercised only with respect to a country
18 whose government—

19 (1) does not have an excessive level of military
20 expenditures;

21 (2) has not repeatedly provided support for acts
22 of international terrorism;

23 (3) is not failing to cooperate on international
24 narcotics control matters;

1 (4) (including its military or other security
2 forces) does not engage in a consistent pattern of
3 gross violations of internationally recognized human
4 rights; and

5 (5) is not ineligible for assistance because of the
6 application of section 527 of the Foreign Relations
7 Authorization Act, Fiscal Years 1994 and 1995.

8 (d) AVAILABILITY OF FUNDS.—The authority pro-
9 vided by subsection (a) may be used only with regard to
10 funds appropriated by this Act under the heading “Debt
11 Restructuring”.

12 (e) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-
13 duction of debt pursuant to subsection (a) shall not be
14 considered assistance for purposes of any provision of law
15 limiting assistance to a country. The authority provided
16 by subsection (a) may be exercised notwithstanding sec-
17 tion 620(r) of the Foreign Assistance Act of 1961.

18 AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES
19 SEC. 558. (a) LOANS ELIGIBLE FOR SALE, REDUC-
20 TION, OR CANCELLATION.—

21 (1) AUTHORITY TO SELL, REDUCE, OR CANCEL
22 CERTAIN LOANS.—Notwithstanding any other provi-
23 sion of law, the President may, in accordance with
24 this section, sell to any eligible purchaser any
25 concessional loan or portion thereof made before
26 January 1, 1995, pursuant to the Foreign Assist-

1 ance Act of 1961, to the government of any eligible
2 country as defined in section 702(6) of that Act or
3 on receipt of payment from an eligible purchaser, re-
4 duce or cancel such loan or portion thereof, only for
5 the purpose of facilitating—

6 (A) debt-for-equity swaps, debt-for-develop-
7 ment swaps, or debt-for-nature swaps; or

8 (B) a debt buyback by an eligible country
9 of its own qualified debt, only if the eligible
10 country uses an additional amount of the local
11 currency of the eligible country, equal to not
12 less than 40 percent of the price paid for such
13 debt by such eligible country, or the difference
14 between the price paid for such debt and the
15 face value of such debt, to support activities
16 that link conservation and sustainable use of
17 natural resources with local community develop-
18 ment, and child survival and other child devel-
19 opment, in a manner consistent with sections
20 707 through 710 of the Foreign Assistance Act
21 of 1961, if the sale, reduction, or cancellation
22 would not contravene any term or condition of
23 any prior agreement relating to such loan.

24 (2) TERMS AND CONDITIONS.—Notwithstanding
25 any other provision of law, the President shall, in ac-

1 cordance with this section, establish the terms and
2 conditions under which loans may be sold, reduced,
3 or canceled pursuant to this section.

4 (3) ADMINISTRATION.—The Facility, as defined
5 in section 702(8) of the Foreign Assistance Act of
6 1961, shall notify the administrator of the agency
7 primarily responsible for administering part I of the
8 Foreign Assistance Act of 1961 of purchasers that
9 the President has determined to be eligible, and
10 shall direct such agency to carry out the sale, reduc-
11 tion, or cancellation of a loan pursuant to this sec-
12 tion. Such agency shall make an adjustment in its
13 accounts to reflect the sale, reduction, or cancella-
14 tion.

15 (4) LIMITATION.—The authorities of this sub-
16 section shall be available only to the extent that ap-
17 propriations for the cost of the modification, as de-
18 fined in section 502 of the Congressional Budget Act
19 of 1974, are made in advance.

20 (b) DEPOSIT OF PROCEEDS.—The proceeds from the
21 sale, reduction, or cancellation of any loan sold, reduced,
22 or canceled pursuant to this section shall be deposited in
23 the United States Government account or accounts estab-
24 lished for the repayment of such loan.

(e) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading “Debt Restructuring”.

SEC. 559. (a) POLICY.—In providing assistance to Haiti, the President should place a priority on the following areas:

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1 (2) steps to ensure that any elections under-
2 taken in Haiti with United States assistance are full,
3 free, fair, transparent, and democratic;

4 (3) support for a program designed to develop
5 an indigenous human rights monitoring capacity;

6 (4) steps to facilitate the continued privatiza-
7 tion of state-owned enterprises;

8 (5) a sustainable agricultural development pro-
9 gram; and

10 (6) establishment of an economic development
11 fund for Haiti to provide long-term, low interest
12 loans to United States investors and businesses that
13 have a demonstrated commitment to, and expertise
14 in, doing business in Haiti, in particular those busi-
15 nesses present in Haiti prior to the 1994 United Na-
16 tions embargo.

17 (b) REPORT.—Beginning 6 months after the date of
18 the enactment of this Act, and 6 months thereafter until
19 September 30, 2001, the President shall submit a report
20 to the Committee on Appropriations and the Committee
21 on Foreign Relations of the Senate and the Committee
22 on Appropriations and the Committee on International
23 Relations of the House of Representatives with regard
24 to—

1 (1) the status of each of the governmental insti-
2 tutions envisioned in the 1987 Haitian Constitution,
3 including an assessment of the extent to which offi-
4 cials in such institutions hold their positions on the
5 basis of a regular, constitutional process;

6 (2) the status of the privatization (or placement
7 under long-term private management or concession)
8 of the major public entities, including a detailed as-
9 sessment of the extent to which the Government of
10 Haiti has completed all required incorporating docu-
11 ments, the transfer of assets, and the eviction of un-
12 authorized occupants from such facilities;

13 (3) the status of efforts to re-sign and imple-
14 ment the lapsed bilateral Repatriation Agreement
15 and an assessment of the extent to which the Gov-
16 ernment of Haiti has been cooperating with the
17 United States in halting illegal emigration from
18 Haiti;

19 (4) the status of the Government of Haiti's ef-
20 forts to conduct thorough investigations of
21 extrajudicial and political killings and—

22 (A) an assessment of the progress that has
23 been made in bringing to justice the persons re-
24 sponsible for these extrajudicial or political
25 killings in Haiti; and

1 (B) an assessment of the extent to which
2 the Government of Haiti is cooperating with
3 United States authorities and with United
4 States-funded technical advisors to the Haitian
5 National Police in such investigations;

6 (5) an assessment of actions taken by the Gov-
7 ernment of Haiti to remove and maintain the sepa-
8 ration from the Haitian National Police, national
9 palace and residential guard, ministerial guard, and
10 any other public security entity or unit of Haiti
11 those individuals who are credibly alleged to have en-
12 gaged in or conspired to conceal gross violations of
13 internationally recognized human rights;

14 (6) the status of steps being taken to secure the
15 ratification of the maritime counter-narcotics agree-
16 ments signed October 1997;

17 (7) an assessment of the extent to which do-
18 mestic capacity to conduct free, fair, democratic, and
19 administratively sound elections has been developed
20 in Haiti; and

21 (8) an assessment of the extent to which Haiti's
22 Minister of Justice has demonstrated a commitment
23 to the professionalism of judicial personnel by con-
24 sistently placing students graduated by the Judicial
25 School in appropriate judicial positions and has

1 made a commitment to share program costs associ-
2 ated with the Judicial School, and is achieving
3 progress in making the judicial branch in Haiti inde-
4 pendent from the executive branch.

5 (c) **EQUITABLE ALLOCATION OF FUNDS.**—Not more
6 than 17 percent of the funds appropriated by this Act to
7 carry out the provisions of sections 103 through 106 and
8 chapter 4 of part II of the Foreign Assistance Act of 1961,
9 that are made available for Latin America and the Carib-
10 bean region may be made available, through bilateral and
11 Latin America and the Caribbean regional programs, to
12 provide assistance for any country in such region.

13 **REQUIREMENT FOR DISCLOSURE OF FOREIGN AID IN**
14 **REPORT OF SECRETARY OF STATE**

15 **SEC. 560. (a) FOREIGN AID REPORTING REQUIRE-**
16 **MENT.**—In addition to the voting practices of a foreign
17 country, the report required to be submitted to Congress
18 under section 406(a) of the Foreign Relations Authoriza-
19 tion Act, fiscal years 1990 and 1991 (22 U.S.C. 2414a),
20 shall include a side-by-side comparison of individual coun-
21 tries’ overall support for the United States at the United
22 Nations and the amount of United States assistance pro-
23 vided to such country in fiscal year 1999.

24 (b) **UNITED STATES ASSISTANCE.**—For purposes of
25 this section, the term “United States assistance” has the

1 meaning given the term in section 481(e)(4) of the For-
2 eign Assistance Act of 1961 (22 U.S.C. 2291(e)(4)).

3 RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO
4 UNITED NATIONS AGENCIES

5 SEC. 561. (a) PROHIBITION ON VOLUNTARY CON-
6 TRIBUTIONS FOR THE UNITED NATIONS.—None of the
7 funds appropriated by this Act may be made available to
8 pay any voluntary contribution of the United States to the
9 United Nations (including the United Nations Develop-
10 ment Program) if the United Nations implements or im-
11 poses any taxation on any United States persons.

12 (b) CERTIFICATION REQUIRED FOR DISBURSEMENT
13 OF FUNDS.—None of the funds appropriated by this Act
14 may be made available to pay any voluntary contribution
15 of the United States to the United Nations (including the
16 United Nations Development Program) unless the Presi-
17 dent certifies to the Congress 15 days in advance of such
18 payment that the United Nations is not engaged in any
19 effort to implement or impose any taxation on United
20 States persons in order to raise revenue for the United
21 Nations or any of its specialized agencies.

22 (c) DEFINITIONS.—As used in this section the term
23 “United States person” refers to—

24 (1) a natural person who is a citizen or national
25 of the United States; or

6 SEC. 562. The Government of Haiti shall be eligible
7 to purchase defense articles and services under the Arms
8 Export Control Act (22 U.S.C. 2751 et seq.), for the civil-
9 ian-led Haitian National Police and Coast Guard: *Pro-*
10 *vided*, That the authority provided by this section shall
11 be subject to the regular notification procedures of the
12 Committees on Appropriations.

15 SEC. 563. (a) PROHIBITION OF FUNDS.—None of the
16 funds appropriated by this Act to carry out the provisions
17 of chapter 4 of part II of the Foreign Assistance Act of
18 1961 may be obligated or expended with respect to pro-
19 viding funds to the Palestinian Authority.

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1 (c) PERIOD OF APPLICATION OF WAIVER.—Any
2 waiver pursuant to subsection (b) shall be effective for no
3 more than a period of 6 months at a time and shall not
4 apply beyond 12 months after the enactment of this Act.

5 LIMITATION ON ASSISTANCE TO SECURITY FORCES

6 SEC. 564. None of the funds made available by this
7 Act may be provided to any unit of the security forces
8 of a foreign country if the Secretary of State has credible
9 evidence that such unit has committed gross violations of
10 human rights, unless the Secretary determines and reports
11 to the Committees on Appropriations that the government
12 of such country is taking effective measures to bring the
13 responsible members of the security forces unit to justice:
14 *Provided*, That nothing in this section shall be construed
15 to withhold funds made available by this Act from any
16 unit of the security forces of a foreign country not credibly
17 alleged to be involved in gross violations of human rights:
18 *Provided further*, That in the event that funds are withheld
19 from any unit pursuant to this section, the Secretary of
20 State shall promptly inform the foreign government of the
21 basis for such action and shall, to the maximum extent
22 practicable, assist the foreign government in taking effective
23 measures to bring the responsible members of the security
24 forces to justice.

1 LIMITATIONS ON TRANSFER OF MILITARY EQUIPMENT TO
2 EAST TIMOR

3 SEC. 565. In any agreement for the sale, transfer,
4 or licensing of any lethal equipment or helicopter for Indo-
5 nesia entered into by the United States pursuant to the
6 authority of this Act or any other Act, the agreement shall
7 state that the items will not be used in East Timor.

8 RESTRICTIONS ON ASSISTANCE TO COUNTRIES PROVIDING
9 SANCTUARY TO INDICTED WAR CRIMINALS

10 SEC. 566. (a) BILATERAL ASSISTANCE.—None of the
11 funds made available by this or any prior Act making ap-
12 propriations for foreign operations, export financing and
13 related programs, may be provided for any country, entity
14 or municipality described in subsection (e).

15 (b) MULTILATERAL ASSISTANCE.—

16 (1) PROHIBITION.—The Secretary of the Treas-
17 ury shall instruct the United States executive direc-
18 tors of the international financial institutions to
19 work in opposition to, and vote against, any exten-
20 sion by such institutions of any financial or technical
21 assistance or grants of any kind to any country or
22 entity described in subsection (e).

23 (2) NOTIFICATION.—Not less than 15 days be-
24 fore any vote in an international financial institution
25 regarding the extension of financial or technical as-
26 sistance or grants to any country or entity described

1 in subsection (e), the Secretary of the Treasury, in
2 consultation with the Secretary of State, shall pro-
3 vide to the Committee on Appropriations and the
4 Committee on Foreign Relations of the Senate and
5 the Committee on Appropriations and the Com-
6 mittee on Banking and Financial Services of the
7 House of Representatives a written justification for
8 the proposed assistance, including an explanation of
9 the United States position regarding any such vote,
10 as well as a description of the location of the pro-
11 posed assistance by municipality, its purpose, and its
12 intended beneficiaries.

13 (3) DEFINITION.—The term “international fi-
14 nancial institution” includes the International Mone-
15 tary Fund, the International Bank for Reconstruc-
16 tion and Development, the International Develop-
17 ment Association, the International Finance Cor-
18 poration, the Multilateral Investment Guaranty
19 Agency, and the European Bank for Reconstruction
20 and Development.

21 (c) EXCEPTIONS.—

22 (1) IN GENERAL.—Subject to paragraph (2),
23 subsections (a) and (b) shall not apply to the provi-
24 sion of—

25 (A) humanitarian assistance;

1 (B) democratization assistance;

2 (C) assistance for cross border physical in-
3 frastructure projects involving activities in both
4 a sanctioned country, entity, or municipality
5 and a nonsanctioned contiguous country, entity,
6 or municipality, if the project is primarily lo-
7 cated in and primarily benefits the nonsanc-
8 tioned country, entity, or municipality and if
9 the portion of the project located in the sanc-
10 tioned country, entity, or municipality is nec-
11 essary only to complete the project;

12 (D) small-scale assistance projects or ac-
13 tivities requested by United States Armed
14 Forces that promote good relations between
15 such forces and the officials and citizens of the
16 areas in the United States SFOR sector of Bos-
17 nia;

18 (E) implementation of the Breko Arbitral
19 Decision;

20 (F) lending by the international financial
21 institutions to a country or entity to support
22 common monetary and fiscal policies at the na-
23 tional level as contemplated by the Dayton
24 Agreement;

1 (G) direct lending to a non-sanctioned enti-
2 ty, or lending passed on by the national govern-
3 ment to a non-sanctioned entity; or

4 (H) assistance to the International Police
5 Task Force for the training of a civilian police
6 force.

7 (2) NOTIFICATION.—Every 60 days the Sec-
8 retary of State, in consultation with the Adminis-
9 trator of the Agency for International Development,
10 shall publish in the Federal Register and/or in a
11 comparable publicly accessible document or Internet
12 site, a listing and justification of any assistance that
13 is obligated within that period of time for any coun-
14 try, entity, or municipality described in subsection
15 (e), including a description of the purpose of the as-
16 sistance, project and its location, by municipality.

17 (d) FURTHER LIMITATIONS.—Notwithstanding sub-
18 section (c)—

19 (1) no assistance may be made available by this
20 Act, or any prior Act making appropriations for for-
21 eign operations, export financing and related pro-
22 grams, in any country, entity, or municipality de-
23 scribed in subsection (e), for a program, project, or
24 activity in which a publicly indicted war criminal is

1 known to have any financial or material interest;
2 and

3 (2) no assistance (other than emergency foods
4 or medical assistance or demining assistance) may
5 be made available by this Act, or any prior Act mak-
6 ing appropriations for foreign operations, export fi-
7 nancing and related programs for any program,
8 project, or activity in a community within any coun-
9 try, entity or municipality described in subsection (e)
10 if competent authorities within that community are
11 not complying with the provisions of Article IX and
12 Annex 4, Article II, paragraph 8 of the Dayton
13 Agreement relating to war crimes and the Tribunal.

14 (e) SANCTIONED COUNTRY, ENTITY, OR MUNICI-
15 PALITY.—A sanctioned country, entity, or municipality de-
16 scribed in this section is one whose competent authorities
17 have failed, as determined by the Secretary of State, to
18 take necessary and significant steps to apprehend and
19 transfer to the Tribunal all persons who have been publicly
20 indicted by the Tribunal.

21 (f) SPECIAL RULE.—Subject to subsection (d), sub-
22 sections (a) and (b) shall not apply to the provision of
23 assistance to an entity that is not a sanctioned entity, not-
24 withstanding that such entity may be within a sanctioned
25 country, if the Secretary of State determines and so re-

1 ports to the appropriate congressional committees that
2 providing assistance to that entity would promote peace
3 and internationally recognized human rights by encour-
4 aging that entity to cooperate fully with the Tribunal.

5 (g) CURRENT RECORD OF WAR CRIMINALS AND
6 SANCTIONED COUNTRIES, ENTITIES, AND MUNICIPALI-
7 TIES.—

8 (1) IN GENERAL.—The Secretary of State shall
9 establish and maintain a current record of the loca-
10 tion, including the municipality, if known, of publicly
11 indicted war criminals and a current record of sanc-
12 tioned countries, entities, and municipalities.

13 (2) INFORMATION OF THE DCI AND THE SEC-
14 RETARY OF DEFENSE.—The Director of Central In-
15 telligence and the Secretary of Defense should col-
16 lect and provide to the Secretary of State informa-
17 tion concerning the location, including the munici-
18 pality, of publicly indicted war criminals.

19 (3) INFORMATION OF THE TRIBUNAL.—The
20 Secretary of State shall request that the Tribunal
21 and other international organizations and govern-
22 ments provide the Secretary of State information
23 concerning the location, including the municipality,
24 of publicly indicted war criminals and concerning

1 country, entity and municipality authorities known
2 to have obstructed the work of the Tribunal.

3 (4) REPORT.—Beginning 30 days after the date
4 of the enactment of this Act, and not later than Sep-
5 tember 1 each year thereafter, the Secretary of
6 State shall submit a report in classified and unclas-
7 sified form to the appropriate congressional commit-
8 tees on the location, including the municipality, if
9 known, of publicly indicted war criminals, on coun-
10 try, entity and municipality authorities known to
11 have obstructed the work of the Tribunal, and on
12 sanctioned countries, entities, and municipalities.

13 (5) INFORMATION TO CONGRESS.—Upon the re-
14 quest of the chairman or ranking minority member
15 of any of the appropriate congressional committees,
16 the Secretary of State shall make available to that
17 committee the information recorded under para-
18 graph (1) in a report submitted to the committee in
19 classified and unclassified form.

20 (h) WAIVER.—

21 (1) IN GENERAL.—The Secretary of State may
22 waive the application of subsection (a) or subsection
23 (b) with respect to specified bilateral programs or
24 international financial institution projects or pro-
25 grams in a sanctioned country, entity, or munici-

1 pality upon providing a written determination to the
2 Committee on Appropriations and the Committee on
3 Foreign Relations of the Senate and the Committee
4 on Appropriations and the Committee on Inter-
5 national Relations of the House of Representatives
6 that such assistance directly supports the implemen-
7 tation of the Dayton Agreement and its Annexes,
8 which include the obligation to apprehend and trans-
9 fer indicted war criminals to the Tribunal.

10 (2) REPORT.—Not later than 15 days after the
11 date of any written determination under paragraph
12 (1) the Secretary of State shall submit a report to
13 the Committee on Appropriations and the Com-
14 mittee on Foreign Relations of the Senate and the
15 Committee on Appropriations and the Committee on
16 International Relations of the House of Representa-
17 tives regarding the status of efforts to secure the
18 voluntary surrender or apprehension and transfer of
19 persons indicted by the Tribunal, in accordance with
20 the Dayton Agreement, and outlining obstacles to
21 achieving this goal.

22 (3) ASSISTANCE PROGRAMS AND PROJECTS AF-
23 FECTED.—Any waiver made pursuant to this sub-
24 section shall be effective only with respect to a speci-
25 fied bilateral program or multilateral assistance

1 project or program identified in the determination of
2 the Secretary of State to Congress.

3 (i) TERMINATION OF SANCTIONS.—The sanctions im-
4 posed pursuant to subsections (a) and (b) with respect to
5 a country or entity shall cease to apply only if the Sec-
6 retary of State determines and certifies to Congress that
7 the authorities of that country, entity, or municipality
8 have apprehended and transferred to the Tribunal all per-
9 sons who have been publicly indicted by the Tribunal.

10 (j) DEFINITIONS.—As used in this section—

11 (1) COUNTRY.—The term “country” means
12 Bosnia-Herzegovina, Croatia, and Serbia.

13 (2) ENTITY.—The term “entity” refers to the
14 Federation of Bosnia and Herzegovina, Kosova,
15 Montenegro, and the Republika Srpska.

16 (3) DAYTON AGREEMENT.—The term “Dayton
17 Agreement” means the General Framework Agree-
18 ment for Peace in Bosnia and Herzegovina, together
19 with annexes relating thereto, done at Dayton, No-
20 vember 10 through 16, 1995.

21 (4) TRIBUNAL.—The term “Tribunal” means
22 the International Criminal Tribunal for the Former
23 Yugoslavia.

24 (k) ROLE OF HUMAN RIGHTS ORGANIZATIONS AND
25 GOVERNMENT AGENCIES.—In carrying out this section,

1 the Secretary of State, the Administrator of the Agency
2 for International Development, and the executive directors
3 of the international financial institutions shall consult with
4 representatives of human rights organizations and all gov-
5 ernment agencies with relevant information to help pre-
6 vent publicly indicted war criminals from benefiting from
7 any financial or technical assistance or grants provided to
8 any country or entity described in subsection (e).

9 TO PROHIBIT FOREIGN ASSISTANCE TO THE GOVERN-
10 MENT OF THE RUSSIAN FEDERATION SHOULD IT
11 ENACT LAWS WHICH WOULD DISCRIMINATE AGAINST
12 MINORITY RELIGIOUS FAITHS IN THE RUSSIAN FED-
13 ERATION

14 SEC. 567. None of the funds appropriated under this
15 Act may be made available for the Government of the Rus-
16 sian Federation, after 180 days from the date of the en-
17 actment of this Act, unless the President determines and
18 certifies in writing to the Committees on Appropriations
19 and the Committee on Foreign Relations of the Senate
20 that the Government of the Russian Federation has imple-
21 mented no statute, executive order, regulation or similar
22 government action that would discriminate, or would have
23 as its principal effect discrimination, against religious
24 groups or religious communities in the Russian Federation
25 in violation of accepted international agreements on

1 human rights and religious freedoms to which the Russian
2 Federation is a party.

3 GREENHOUSE GAS EMISSIONS

4 SEC. 568. (a) Funds made available in this Act to
5 support programs or activities the primary purpose of
6 which is promoting or assisting country participation in
7 the Kyoto Protocol to the Framework Convention on Cli-
8 mate Change (FCCC) shall only be made available subject
9 to the regular notification procedures of the Committees
10 on Appropriations.

11 (b) The President shall provide a detailed account of
12 all Federal agency obligations and expenditures for cli-
13 mate change programs and activities, domestic and inter-
14 national obligations for such activities in fiscal year 2000,
15 and any plan for programs thereafter related to the imple-
16 mentation or the furtherance of protocols pursuant to, or
17 related to negotiations to amend the FCCC in conjunction
18 with the President's submission of the Budget of the
19 United States Government for Fiscal Year 2001: *Pro-*
20 *vided*, That such report shall include an accounting of ex-
21 penditures by agency with each agency identifying climate
22 change activities and associated costs by line item as pre-
23 sented in the President's Budget Appendix: *Provided fur-*
24 *ther*, That such report shall identify with regard to the
25 Agency for International Development, obligations and ex-
26 penditures by country or central program and activity.

SEC. 569. Section 105 of Public Law 104–164 (110 Stat. 1427) is amended by striking “1996 and 1997” and inserting “1999 and 2000”.

6 AID TO THE GOVERNMENT OF THE DEMOCRATIC
7 REPUBLIC OF CONGO

8 SEC. 570. None of the funds appropriated or other-
9 wise made available by this Act may be provided to the
10 Central Government of the Democratic Republic of Congo.

11 ASSISTANCE FOR THE MIDDLE EAST

SEC. 571. Of the funds appropriated in titles II and III of this Act under the headings “Economic Support Fund”, “Foreign Military Financing Program”, “International Military Education and Training”, “Peacekeeping Operations”, for refugees resettling in Israel under the heading “Migration and Refugee Assistance”, and for assistance for Israel to carry out provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 under the heading “Nonproliferation, Anti-Terrorism, Demining and Related Programs”, not more than a total of \$5,321,150,000 may be made available for Israel, Egypt, Jordan, Lebanon, the West Bank and Gaza, the Israel-Lebanon Monitoring Group, the Multinational Force and Observers, the Middle East Regional Democracy Fund, Middle East Regional Cooperation, and Middle

1 East Multilateral Working Groups: *Provided*, That any
 2 funds that were appropriated under such headings in prior
 3 fiscal years and that were at the time of the enactment
 4 of this Act obligated or allocated for other recipients may
 5 not during fiscal year 2000 be made available for activities
 6 that, if funded under this Act, would be required to count
 7 against this ceiling: *Provided further*, That funds may be
 8 made available notwithstanding the requirements of this
 9 section if the President determines and certifies to the
 10 Committees on Appropriations that it is important to the
 11 national security interest of the United States to do so
 12 and any such additional funds shall only be provided
 13 through the regular notification procedures of the Com-
 14 mittees on Appropriations.

15 ENTERPRISE FUND RESTRICTIONS

16 SEC. 572. Prior to the distribution of any assets re-
 17 sulting from any liquidation, dissolution, or winding up
 18 of an Enterprise Fund, in whole or in part, the President
 19 shall submit to the Committees on Appropriations, in ac-
 20 cordance with the regular notification procedures of the
 21 Committees on Appropriations, a plan for the distribution
 22 of the assets of the Enterprise Fund.

23 CAMBODIA

24 SEC. 573. (a) The Secretary of the Treasury should
 25 instruct the United States executive directors of the inter-
 26 national financial institutions to use the voice and vote

1 of the United States to oppose loans to the Central Gov-
2 ernment of Cambodia, except loans to support basic
3 human needs.

4 (b) None of the funds appropriated by this Act may
5 be made available for assistance for the Central Govern-
6 ment of Cambodia.

7 CUSTOMS ASSISTANCE

8 SEC. 574. Section 660(b) of the Foreign Assistance
9 Act of 1961 is amended by—

10 (1) striking the period at the end of paragraph

11 (6) and in lieu thereof inserting a semicolon; and

12 (2) adding the following new paragraph:

13 “(7) with respect to assistance provided to
14 customs authorities and personnel, including
15 training, technical assistance and equipment,
16 for customs law enforcement and the improve-
17 ment of customs laws, systems and proce-
18 dures.”.

19 FOREIGN MILITARY TRAINING REPORT

20 SEC. 575. (a) The Secretary of Defense and the Sec-
21 retary of State shall jointly provide to the Congress by
22 March 1, 2000, a report on all military training provided
23 to foreign military personnel (excluding sales, and exclud-
24 ing training provided to the military personnel of countries
25 belonging to the North Atlantic Treaty Organization)
26 under programs administered by the Department of De-

1 fense and the Department of State during fiscal years
2 1999 and 2000, including those proposed for fiscal year
3 2000. This report shall include, for each such military
4 training activity, the foreign policy justification and pur-
5 pose for the training activity, the cost of the training activ-
6 ity, the number of foreign students trained and their units
7 of operation, and the location of the training. In addition,
8 this report shall also include, with respect to United States
9 personnel, the operational benefits to United States forces
10 derived from each such training activity and the United
11 States military units involved in each such training activ-
12 ity. This report may include a classified annex if deemed
13 necessary and appropriate.

14 (b) For purposes of this section a report to Congress
15 shall be deemed to mean a report to the Appropriations
16 and Foreign Relations Committees of the Senate and the
17 Appropriations and International Relations Committees of
18 the House of Representatives.

19 KOREAN PENINSULA ENERGY DEVELOPMENT

20 ORGANIZATION

21 SEC. 576. (a) Of the funds made available under the
22 heading “Nonproliferation, Anti-terrorism, Demining and
23 Related Programs”, not to exceed \$35,000,000 may be
24 made available for the Korean Peninsula Energy Develop-
25 ment Organization (hereafter referred to in this section
26 as “KEDO”), notwithstanding any other provision of law,

1 only for the administrative expenses and heavy fuel oil
2 costs associated with the Agreed Framework.

3 (b) Of the funds made available for KEDO, up to
4 \$15,000,000 may be made available prior to June 1, 2000,
5 if, 30 days prior to such obligation of funds, the President
6 certifies and so reports to Congress that—

7 (1) the parties to the Agreed Framework have
8 taken and continue to take demonstrable steps to
9 implement the Joint Declaration on
10 Denuclearization of the Korean Peninsula in which
11 the Government of North Korea has committed not
12 to test, manufacture, produce, receive, possess, store,
13 deploy, or use nuclear weapons, and not to possess
14 nuclear reprocessing or uranium enrichment facili-
15 ties;

16 (2) the parties to the Agreed Framework have
17 taken and continue to take demonstrable steps to
18 pursue the North-South dialogue;

19 (3) North Korea is complying with all provi-
20 sions of the Agreed Framework;

21 (4) North Korea has not diverted assistance
22 provided by the United States for purposes for
23 which it was not intended; and

1 (5) North Korea is not seeking to develop or ac-
2 quire the capability to enrich uranium, or any addi-
3 tional capability to reprocess spent nuclear fuel.

4 (c) Of the funds made available for KEDO, up to
5 \$20,000,000 may be made available on or after June 1,
6 2000, if, 30 days prior to such obligation of funds, the
7 President certifies and so reports to Congress that—

8 (1) the effort to can and safely store all spent
9 fuel from North Korea's graphite-moderated nuclear
10 reactors has been successfully concluded;

11 (2) North Korea is complying with its obliga-
12 tions under the agreement regarding access to sus-
13 pect underground construction;

14 (3) North Korea has terminated its nuclear
15 weapons program, including all efforts to acquire,
16 develop, test, produce, or deploy such weapons; and

17 (4) the United States has made and is con-
18 tinuing to make significant progress on eliminating
19 the North Korean ballistic missile threat, including
20 further missile tests and its ballistic missile exports.

21 (d) The President may waive the certification require-
22 ments of subsections (b) and (c) if the President deter-
23 mines that it is vital to the national security interests of
24 the United States and provides written policy justifica-
25 tions to the appropriate congressional committees prior to

1 his exercise of such waiver. No funds may be obligated
2 for KEDO until 30 days after submission to Congress of
3 such waiver.

4 (e) The Secretary of State shall submit to the appro-
5 priate congressional committees a report (to be submitted
6 with the annual presentation for appropriations) providing
7 a full and detailed accounting of the fiscal year 2001 re-
8 quest for the United States contribution to KEDO, the
9 expected operating budget of the KEDO, to include un-
10 paid debt, proposed annual costs associated with heavy
11 fuel oil purchases, and the amount of funds pledged by
12 other donor nations and organizations to support KEDO
13 activities on a per country basis, and other related activi-
14 ties.

15 AFRICAN DEVELOPMENT FOUNDATION

16 SEC. 577. Funds made available to grantees of the
17 African Development Foundation may be invested pending
18 expenditure for project purposes when authorized by the
19 President of the Foundation: *Provided*, That interest
20 earned shall be used only for the purposes for which the
21 grant was made: *Provided further*, That this authority ap-
22 plies to interest earned both prior to and following the en-
23 actment of this provision: *Provided further*, That notwith-
24 standing section 505(a)(2) of the African Development
25 Foundation Act, in exceptional circumstances the board
26 of directors of the Foundation may waive the \$250,000

1 limitation contained in that section with respect to a
2 project: *Provided further*, That the Foundation shall pro-
3 vide a report to the Committees on Appropriations in ad-
4 vance of exercising such waiver authority.

5 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN
6 BROADCASTING CORPORATION

7 SEC. 578. None of the funds appropriated or other-
8 wise made available by this Act may be used to provide
9 equipment, technical support, consulting services, or any
10 other form of assistance to the Palestinian Broadcasting
11 Corporation.

12 VOLUNTARY SEPARATION INCENTIVES FOR EMPLOYEES
13 OF THE U.S. AGENCY FOR INTERNATIONAL DEVEL-
14 OPMENT

15 SEC. 579. (a) DEFINITIONS.—For the purposes of
16 this section—

17 (1) the term “agency” means the United States
18 Agency for International Development;

19 (2) the term “Administrator” means the Ad-
20 ministrator, United States Agency for International
21 Development; and

22 (3) the term “employee” means an employee
23 (as defined by section 2105 of title 5, United States
24 Code) who is employed by the agency, is serving
25 under an appointment without time limitation, and

1 has been currently employed for a continuous period
2 of at least 3 years, but does not include—

3 (A) a reemployed annuitant under sub-
4 chapter III of chapter 83 or chapter 84 of title
5 5, United States Code, or another retirement
6 system for employees of the agency;

7 (B) an employee having a disability on the
8 basis of which such employee is or would be eli-
9 gible for disability retirement under the applica-
10 ble retirement system referred to in subpara-
11 graph (A);

12 (C) an employee who is to be separated in-
13 voluntarily for misconduct or unacceptable per-
14 formance, and to whom specific notice has been
15 given with respect to that separation;

16 (D) an employee who has previously re-
17 ceived any voluntary separation incentive pay-
18 ment by the Government of the United States
19 under this section or any other authority and
20 has not repaid such payment;

21 (E) an employee covered by statutory re-
22 employment rights who is on transfer to an-
23 other organization; or

24 (F) any employee who, during the 24-
25 month period preceding the date of separation,

1 received a recruitment or relocation bonus
2 under section 5753 of title 5, United States
3 Code, or who, within the 12-month period pre-
4 ceding the date of separation, received a reten-
5 tion allowance under section 5754 of such title
6 5.

7 (b) AGENCY STRATEGIC PLAN.—

8 (1) IN GENERAL.—The Administrator, before
9 obligating any resources for voluntary separation in-
10 centive payments under this section, shall submit to
11 the Committees on Appropriations and the Office of
12 Management and Budget a strategic plan outlining
13 the intended use of such incentive payments and a
14 proposed organizational chart for the agency once
15 such incentive payments have been completed.

16 (2) CONTENTS.—The agency's plan shall
17 include—

18 (A) the positions and functions to be re-
19 duced or eliminated, identified by organizational
20 unit, geographic location, occupational category
21 and grade level;

22 (B) the number and amounts of voluntary
23 separation incentive payments to be offered;

1 (C) a description of how the agency will
2 operate without the eliminated positions and
3 functions; and

4 (D) the time period during which incen-
5 tives may be paid.

6 (3) APPROVAL.—The Director of the Office of
7 Management and Budget shall review the agency’s
8 plan and approve or disapprove the plan and may
9 make appropriate modifications in the plan with re-
10 spect to the coverage of incentives as described
11 under paragraph (2)(A), and with respect to the
12 matters described in paragraphs (2)(B) through (D).

13 (c) AUTHORITY TO PROVIDE VOLUNTARY SEPARA-
14 TION INCENTIVE PAYMENTS.—

15 (1) IN GENERAL.—A voluntary separation in-
16 centive payment under this section may be paid by
17 the agency to employees of such agency and only to
18 the extent necessary to eliminate the positions and
19 functions identified by the strategic plan.

20 (2) AMOUNT AND TREATMENT OF PAYMENTS.—
21 A voluntary separation incentive payment under this
22 section—

23 (A) shall be paid in a lump sum after the
24 employee’s separation;

1 (B) shall be paid from appropriations or
2 funds available for the payment of the basic pay
3 of the employees;

4 (C) shall be equal to the lesser of—

5 (i) an amount equal to the amount
6 the employee would be entitled to receive
7 under section 5595(c) of title 5, United
8 States Code, if the employee were entitled
9 to payment under such section; or

10 (ii) an amount determined by the
11 agency head not to exceed \$25,000;

12 (D) may not be made except in the case of
13 any employee who voluntarily separates (wheth-
14 er by retirement or resignation) on or before
15 December 31, 2000;

16 (E) shall not be a basis for payment, and
17 shall not be included in the computation, of any
18 other type of Government benefit; and

19 (F) shall not be taken into account in de-
20 termining the amount of any severance pay to
21 which the employee may be entitled under sec-
22 tion 5595 of title 5, United States Code, based
23 on any other separation.

24 (d) ADDITIONAL AGENCY CONTRIBUTIONS TO THE
25 RETIREMENT FUND.—

1 (1) IN GENERAL.—In addition to any other
2 payments which it is required to make under sub-
3 chapter III of chapter 83 or chapter 84 of title 5,
4 United States Code, the agency shall remit to the
5 Office of Personnel Management for deposit in the
6 Treasury of the United States to the credit of the
7 Civil Service Retirement and Disability Fund an
8 amount equal to 15 percent of the final basic pay of
9 each employee of the agency who is covered under
10 subchapter III of chapter 83 or chapter 84 of title
11 5, United States Code, to whom a voluntary separa-
12 tion incentive has been paid under this section.

13 (2) DEFINITION.—For the purpose of para-
14 graph (1), the term “final basic pay”, with respect
15 to an employee, means the total amount of basic pay
16 which would be payable for a year of service by such
17 employee, computed using the employee’s final rate
18 of basic pay, and, if last serving on other than a
19 full-time basis, with appropriate adjustment there-
20 for.

21 (e) EFFECT OF SUBSEQUENT EMPLOYMENT WITH
22 THE GOVERNMENT.—

23 (1) An individual who has received a voluntary
24 separation incentive payment under this section and
25 accepts any employment for compensation with the

1 Government of the United States, or who works for
2 any agency of the Government of the United States
3 through a personal services contract, within 5 years
4 after the date of the separation on which the pay-
5 ment is based shall be required to pay, prior to the
6 individual's first day of employment, the entire
7 amount of the incentive payment to the agency that
8 paid the incentive payment.

9 (2) If the employment under paragraph (1) is
10 with an Executive agency (as defined by section 105
11 of title 5, United States Code), the United States
12 Postal Service, or the Postal Rate Commission, the
13 Director of the Office of Personnel Management
14 may, at the request of the head of the agency, waive
15 the repayment if the individual involved possesses
16 unique abilities and is the only qualified applicant
17 available for the position.

18 (3) If the employment under paragraph (1) is
19 with an entity in the legislative branch, the head of
20 the entity or the appointing official may waive the
21 repayment if the individual involved possesses
22 unique abilities and is the only qualified applicant
23 available for the position.

24 (4) If the employment under paragraph (1) is
25 with the judicial branch, the Director of the Admin-

1 istrative Office of the United States Courts may
2 waive the repayment if the individual involved pos-
3 sesses unique abilities and is the only qualified appli-
4 cant for the position.

5 (f) REDUCTION OF AGENCY EMPLOYMENT LEV-
6 ELS.—

7 (1) IN GENERAL.—The total number of funded
8 employee positions in the agency shall be reduced by
9 one position for each vacancy created by the separa-
10 tion of any employee who has received, or is due to
11 receive, a voluntary separation incentive payment
12 under this section. For the purposes of this sub-
13 section, positions shall be counted on a full-time-
14 equivalent basis.

15 (2) ENFORCEMENT.—The President, through
16 the Office of Management and Budget, shall monitor
17 the agency and take any action necessary to ensure
18 that the requirements of this subsection are met.

19 (g) REGULATIONS.—The Office of Personnel Man-
20 agement may prescribe such regulations as may be nec-
21 essary to implement this section.

22 IRAQ OPPOSITION

23 SEC. 580. Notwithstanding any other provision of
24 law, of the funds appropriated under the heading “Eco-
25 nomic Support Fund”, \$10,000,000 shall be made avail-
26 able to support efforts to bring about political transition

1 in Iraq, of which not less than \$8,000,000 shall be made
2 available only to Iraqi opposition groups designated under
3 the Iraq Liberation Act (Public Law 105–338) for polit-
4 ical, economic, humanitarian, and other activities of such
5 groups, and not more than \$2,000,000 may be made avail-
6 able for groups and activities seeking the prosecution of
7 Saddam Hussein and other Iraqi government officials for
8 war crimes.

9 AGENCY FOR INTERNATIONAL DEVELOPMENT BUDGET

10 SUBMISSION

11 SEC. 581. Beginning with the fiscal year 2001 budg-
12 et, the Agency for International Development shall submit
13 to the Committees on Appropriations a detailed budget for
14 each fiscal year. The Agency shall submit to the Commit-
15 tees on Appropriations a proposed budget format no later
16 than October 31, 1999, or 30 days after the enactment
17 of this Act, whichever occurs later. The proposed format
18 shall include how the Agency’s budget submission will ad-
19 dress: estimated levels of obligations for the current fiscal
20 year and actual levels for the two previous fiscal years;
21 the President’s request for new budget authority and esti-
22 mated carryover obligational authority for the budget
23 year; the disaggregation of budget data by program and
24 activity for each bureau, field mission, and central office;
25 and staff levels identified by program.

1 AMERICAN CHURCHWOMEN IN EL SALVADOR

2 SEC. 582. (a) Information relevant to the December
3 2, 1980 murders of four American churchwomen in El
4 Salvador shall be made public to the fullest extent pos-
5 sible.

6 (b) The Secretary of State and the Department of
7 State are to be commended for fully releasing information
8 regarding the murders.

9 (c) The President shall order all Federal agencies and
10 departments that possess relevant information to make
11 every effort to declassify and release to the victims' fami-
12 lies relevant information as expeditiously as possible.

13 (d) In making determinations concerning the declas-
14 sification and release of relevant information, the Federal
15 agencies and departments shall presume in favor of releas-
16 ing, rather than of withholding, such information.

17 (e) Not later than 45 days after the date of the enact-
18 ment of this Act, the Attorney General shall provide a re-
19 port to the Committees on Appropriations describing in
20 detail the circumstances under which individuals involved
21 in the murders or the cover-up of the murders obtained
22 residence in the United States.

23 KYOTO PROTOCOL

24 SEC. 583. None of the funds appropriated by this Act
25 shall be used to propose or issue rules, regulations, de-
26 crees, or orders for the purpose of implementation, or in

1 preparation for implementation, of the Kyoto Protocol,
2 which was adopted on December 11, 1997, in Kyoto,
3 Japan, at the Third Conference of the Parties to the
4 United States Framework Convention on Climate Change,
5 which has not been submitted to the Senate for advice and
6 consent to ratification pursuant to article II, section 2,
7 clause 2, of the United States Constitution, and which has
8 not entered into force pursuant to article 25 of the Pro-
9 tocol.

10 ADDITIONAL REQUIREMENTS RELATING TO STOCKPILING
11 OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES

12 SEC. 584. (a) VALUE OF ADDITIONS TO STOCK-
13 PILES.—Section 514(b)(2)(A) of the Foreign Assistance
14 Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by
15 striking the following: “\$50,000,000 for each of the fiscal
16 years 1996 and 1997, \$60,000,000 for fiscal year 1998,
17 and” and inserting in lieu thereof before the period at the
18 end, the following: “and \$60,000,000 for fiscal year
19 2000”.

20 (b) REQUIREMENTS RELATING TO THE REPUBLIC OF
21 KOREA AND THAILAND.—Section 514(b)(2)(B) of such
22 Act (22 U.S.C. 2321h(b)(2)(B)) is amended by striking
23 the following: “Of the amount specified in subparagraph
24 (A) for each of the fiscal years 1996 and 1997, not more
25 than \$40,000,000 may be made available for stockpiles in
26 the Republic of Korea and not more than \$10,000,000

1 may be made available for stockpiles in Thailand. Of the
 2 amount specified in subparagraph (A) for fiscal year 1998,
 3 not more than \$40,000,000 may be made available for
 4 stockpiles in the Republic of Korea and not more than
 5 \$20,000,000 may be made available for stockpiles in Thai-
 6 land.”; and at the end inserting the following sentence:
 7 “Of the amount specified in subparagraph (A) for fiscal
 8 year 2000, not more than \$40,000,000 may be made avail-
 9 able for stockpiles in the Republic of Korea and not more
 10 than \$20,000,000 may be made available for stockpiles in
 11 Thailand.”.

12 RUSSIAN LEADERSHIP PROGRAM

13 SEC. 585. Section 3011 of the 1999 Emergency Sup-
 14 plemental Appropriations Act (Public Law 106–31; 113
 15 Stat. 93) is amended—

16 (1) by striking “fiscal year 1999” in sub-
 17 sections (a)(1), (b)(4)(B), (d)(3), and (h)(1)(A) and
 18 inserting “fiscal years 1999 and 2000”; and

19 (2) by striking “2000” in subsection (a)(2),
 20 (e)(1), and (h)(1)(B) and inserting “2001”.

21 ABOLITION OF THE INTER-AMERICAN FOUNDATION

22 SEC. 586. (a) DEFINITIONS.—In this section:

23 (1) DIRECTOR.—The term “Director” means
 24 the Director of the Office of Management and Budg-
 25 et.

1 (2) FOUNDATION.—The term “Foundation”
2 means the Inter-American Foundation.

3 (3) FUNCTION.—The term “function” means
4 any duty, obligation, power, authority, responsibility,
5 right, privilege, activity, or program.

6 (b) ABOLITION OF INTER-AMERICAN FOUNDA-
7 TION.—During fiscal year 2000, the President is author-
8 ized to abolish the Inter-American Foundation. The provi-
9 sions of this section shall only be effective upon the effec-
10 tive date of the abolition of the Inter-American Founda-
11 tion.

12 (c) TERMINATION OF FUNCTIONS.—

13 (1) Except as provided in subsection (d)(2),
14 there are terminated upon the abolition of the Foun-
15 dation all functions vested in, or exercised by, the
16 Foundation or any official thereof, under any stat-
17 ute, reorganization plan, Executive order, or other
18 provisions of law, as of the day before the effective
19 date of this section.

20 (2) REPEAL.—Section 401 of the Foreign As-
21 sistance Act of 1969 (22 U.S.C. 6290f) is repealed
22 upon the effective date specified in subsection (j).

23 (3) FINAL DISPOSITION OF FUNDS.—Upon the
24 date of transmittal to Congress of the certification
25 described in subsection (d)(4), all unexpended bal-

1 ances of appropriations of the Foundation shall be
2 deposited in the miscellaneous receipts account of
3 the Treasury of the United States.

4 (d) RESPONSIBILITIES OF THE DIRECTOR OF THE
5 OFFICE OF MANAGEMENT AND BUDGET.—

6 (1) IN GENERAL.—The Director of the Office of
7 Management and Budget shall be responsible for—

8 (A) the administration and wind-up of any
9 outstanding obligation of the Federal Govern-
10 ment under any contract or agreement entered
11 into by the Foundation before the date of the
12 enactment of the Foreign Operations, Export
13 Financing, and Related Programs Appropria-
14 tions Act, 2000, except that the authority of
15 this subparagraph does not include the renewal
16 or extension of any such contract or agreement;
17 and

18 (B) taking such other actions as may be
19 necessary to wind-up any outstanding affairs of
20 the Foundation.

21 (2) TRANSFER OF FUNCTIONS TO THE DIREC-
22 TOR.—There are transferred to the Director such
23 functions of the Foundation under any statute, reor-
24 ganization plan, Executive order, or other provision
25 of law, as of the day before the date of the enact-

1 ment of this section, as may be necessary to carry
2 out the responsibilities of the Director under para-
3 graph (1).

4 (3) AUTHORITIES OF THE DIRECTOR.—For
5 purposes of performing the functions of the Director
6 under paragraph (1) and subject to the availability
7 of appropriations, the Director may—

8 (A) enter into contracts;

9 (B) employ experts and consultants in ac-
10 cordance with section 3109 of title 5, United
11 States Code, at rates for individuals not to ex-
12 ceed the per diem rate equivalent to the rate for
13 level IV of the Executive Schedule; and

14 (C) utilize, on a reimbursable basis, the
15 services, facilities, and personnel of other Fed-
16 eral agencies.

17 (4) CERTIFICATION REQUIRED.—Whenever the
18 Director determines that the responsibilities de-
19 scribed in paragraph (1) have been fully discharged,
20 the Director shall so certify to the appropriate con-
21 gressional committees.

22 (e) REPORT TO CONGRESS.—The Director of the Of-
23 fice of Management and Budget shall submit to the appro-
24 priate congressional committees a detailed report in writ-
25 ing regarding all matters relating to the abolition and ter-

1 mination of the Foundation. The report shall be submitted
2 not later than 90 days after the termination of the Foun-
3 dation.

4 (f) TRANSFER AND ALLOCATION OF APPROPRIA-
5 TIONS.—Except as otherwise provided in this section, the
6 assets, liabilities (including contingent liabilities arising
7 from suits continued with a substitution or addition of
8 parties under subsection (g)(3)), contracts, property,
9 records, and unexpended balance of appropriations, au-
10 thorizations, allocations, and other funds employed, held,
11 used, arising from, available to, or to be made available
12 in connection with the functions, terminated by subsection
13 (c)(1) or transferred by subsection (d)(2) shall be trans-
14 ferred to the Director for purposes of carrying out the re-
15 sponsibilities described in subsection (d)(1).

16 (g) SAVINGS PROVISIONS.—

17 (1) CONTINUING LEGAL FORCE AND EFFECT.—

18 All orders, determinations, rules, regulations, per-
19 mits, agreements, grants, contracts, certificates, li-
20 censes, registrations, privileges, and other adminis-
21 trative actions—

22 (A) that have been issued, made, granted,
23 or allowed to become effective by the Founda-
24 tion in the performance of functions that are

1 terminated or transferred under this section;
2 and

3 (B) that are in effect as of the date of the
4 abolition of the Foundation, or were final before
5 such date and are to become effective on or
6 after such date,

7 shall continue in effect according to their terms until
8 modified, terminated, superseded, set aside, or re-
9 voked in accordance with law by the President, the
10 Director, or other authorized official, a court of com-
11 petent jurisdiction, or by operation of law.

12 (2) NO EFFECT ON JUDICIAL OR ADMINISTRA-
13 TIVE PROCEEDINGS.—Except as otherwise provided
14 in this section—

15 (A) the provisions of this section shall not
16 affect suits commenced prior to the date of abo-
17 lition of the Foundation; and

18 (B) in all such suits, proceedings shall be
19 had, appeals taken, and judgments rendered in
20 the same manner and effect as if this section
21 had not been enacted.

22 (3) NONABATEMENT OF PROCEEDINGS.—No
23 suit, action, or other proceeding commenced by or
24 against any officer in the official capacity of such in-
25 dividual as an officer of the Foundation shall abate

1 by reason of the enactment of this section. No cause
2 of action by or against the Foundation, or by or
3 against any officer thereof in the official capacity of
4 such officer, shall abate by reason of the enactment
5 of this section.

6 (4) CONTINUATION OF PROCEEDING WITH SUB-
7 STITUTION OF PARTIES.—If, before the date of the
8 abolition of the Foundation, the Foundation, or offi-
9 cer thereof in the official capacity of such officer, is
10 a party to a suit, then effective on such date such
11 suit shall be continued with the Director substituted
12 or added as a party.

13 (5) REVIEWABILITY OF ORDERS AND ACTIONS
14 UNDER TRANSFERRED FUNCTIONS.—Orders and ac-
15 tions of the Director in the exercise of functions ter-
16 minated or transferred under this section shall be
17 subject to judicial review to the same extent and in
18 the same manner as if such orders and actions had
19 been taken by the Foundation immediately preceding
20 their termination or transfer. Any statutory require-
21 ments relating to notice, hearings, action upon the
22 record, or administrative review that apply to any
23 function transferred by this section shall apply to
24 the exercise of such function by the Director.

25 (h) CONFORMING AMENDMENTS.—

1 (1) AFRICAN DEVELOPMENT FOUNDATION.—
2 Section 502 of the International Security and Devel-
3 opment Cooperation Act of 1980 (22 U.S.C. 290h)
4 is amended—

5 (A) by inserting “and” at the end of para-
6 graph (2);

7 (B) by striking the semicolon at the end of
8 paragraph (3) and inserting a period; and

9 (C) by striking paragraphs (4) and (5).

10 (2) SOCIAL PROGRESS TRUST FUND AGREE-
11 MENT.—Section 36 of the Foreign Assistance Act of
12 1973 is amended—

13 (A) in subsection (a)—

14 (i) by striking “provide for” and all
15 that follows through “(2) utilization” and
16 inserting “provide for the utilization”; and

17 (ii) by striking “member countries;”
18 and all that follows through “paragraph
19 (2)” and inserting “member countries.”;

20 (B) in subsection (b), by striking “transfer
21 or”;

22 (C) by striking subsection (c);

23 (D) by redesignating subsection (d) as sub-
24 section (c); and

1 (E) in subsection (c) (as so redesignated),
2 by striking “transfer or”.

3 (3) FOREIGN ASSISTANCE ACT OF 1961.—Sec-
4 tion 222A(d) of the Foreign Assistance Act of 1961
5 (22 U.S.C. 2182a(d)) is repealed.

6 (i) DEFINITION.—In this section, the term “appro-
7 priate congressional committees” means the Committee on
8 Appropriations and the Committee on Foreign Relations
9 of the Senate and the Committee on Appropriations and
10 the Committee on International Relations of the House
11 of Representatives.

12 (j) EFFECTIVE DATES.—The repeal made by sub-
13 section (c)(2) and the amendments made by subsection (h)
14 shall take effect upon the date of transmittal to Congress
15 of the certification described in subsection (d)(4).

16 WEST BANK AND GAZA PROGRAM

17 SEC. 587. For fiscal year 2000, 30 days prior to the
18 initial obligation of funds for the bilateral West Bank and
19 Gaza Program, the Secretary of State shall certify to the
20 appropriate committees of Congress that procedures have
21 been established to assure the Comptroller General of the
22 United States will have access to appropriate United
23 States financial information in order to review the uses
24 of United States assistance for the Program funded under
25 the heading “Economic Support Fund” for the West Bank
26 and Gaza.

1 HUMAN RIGHTS ASSISTANCE

2 SEC. 588. Of the funds made available under the
3 heading “International Narcotics Control and Law En-
4 forcement”, up to \$500,000 should be made available to
5 support the activities of Colombian nongovernmental orga-
6 nizations involved in human rights monitoring.

7 INDONESIA REPORTING REQUIREMENT

8 SEC. 589. Notwithstanding any other provision of
9 this Act, none of the funds appropriated under the head-
10 ings “Economic Support Fund”, “International Military
11 Education and Training”, or “Foreign Military Financing
12 Program” may be obligated for Indonesia unless the Com-
13 mittees on Appropriations are advised in writing 20 days
14 prior to each such proposed obligation.

15 MAN AND THE BIOSPHERE

16 SEC. 590. None of the funds appropriated or other-
17 wise made available by this Act may be provided for the
18 United Nations Man and the Biosphere Program or the
19 United Nations World Heritage Fund.

20 IMMUNITY OF FEDERAL REPUBLIC OF YUGOSLAVIA

21 SEC. 591. (a) Subject to subsection (b), the Federal
22 Republic of Yugoslavia shall be deemed to be a state spon-
23 sor of terrorism for the purposes of 28 U.S.C. 1605(a)(7).

24 (b) This section shall not apply to Montenegro or
25 Kosova.

1 (c) This section shall become null and void when the
2 President certifies in writing to the Congress that the Fed-
3 eral Republic of Yugoslavia (other than Montenegro and
4 Kosova) has completed a democratic reform process that
5 results in a newly elected government that respects the
6 rights of ethnic minorities, is committed to the rule of law
7 and respects the sovereignty of its neighbor states.

8 (d) The certification provided for in subsection (c)
9 shall not affect the continuation of litigation commenced
10 against the Federal Republic of Yugoslavia prior to its ful-
11 fillment of the conditions in subsection (c).

12 UNITED STATES ASSISTANCE POLICY FOR OPPOSITION-
13 CONTROLLED AREAS OF SUDAN

14 SEC. 592. (a) Notwithstanding any other provision
15 of law, the President, acting through appropriate federal
16 agencies, may provide food assistance to groups engaged
17 in the protection of civilian populations from attacks by
18 regular government of Sudan forces, associated militias,
19 or other paramilitary groups supported by the government
20 of Sudan. Such assistance may only be provided in a way
21 that: (1) does not endanger, compromise or otherwise re-
22 duce the United States' support for unilateral, multilateral
23 or private humanitarian operations or the beneficiaries of
24 those operations; or (2) compromise any ongoing or future
25 people-to-people reconciliation efforts. Any such assistance
26 shall be provided separate from and not in proximity to

1 current humanitarian efforts, both within Operation Life-
2 line Sudan or outside of Operation Lifeline Sudan, or any
3 other current or future humanitarian operations which
4 serve noncombatants. In considering eligibility of potential
5 recipients, the President shall determine that the group
6 respects human rights, democratic principles, and the in-
7 tegrity of ongoing humanitarian operations, and cease
8 such assistance if the determination can no longer be
9 made.

10 (b) Not later than February 1, 2000, the President
11 shall submit to the Committees on Appropriations a report
12 on United States bilateral assistance to opposition-con-
13 trolled areas of Sudan. Such report shall include—

14 (1) an accounting of United States bilateral as-
15 sistance to opposition-controlled areas of Sudan, pro-
16 vided in fiscal years 1997, 1998, 1999, and proposed
17 for fiscal year 2000, and the goals and objectives of
18 such assistance;

19 (2) the policy implications and costs, including
20 logistics and administrative costs, associated with
21 providing humanitarian assistance, including food,
22 directly to National Democratic Alliance participants
23 and the Sudanese People's Liberation Movement op-
24 erating outside of the United Nations' Operation
25 Lifeline Sudan structure, and the United States

1 agencies best suited to administer these activities;
2 and

3 (3) the policy implications of increasing sub-
4 stantially the amount of development assistance for
5 democracy promotion, civil administration, judiciary,
6 and infrastructure support in opposition-controlled
7 areas of Sudan and the obstacles to administering a
8 development assistance program in this region.

9 CONSULTATIONS ON ARMS SALES TO TAIWAN

10 SEC. 593. Consistent with the intent of Congress ex-
11 pressed in the enactment of section 3(b) of the Taiwan
12 Relations Act, the Secretary of State shall consult with
13 the appropriate committees and leadership of Congress to
14 devise a mechanism to provide for congressional input
15 prior to making any determination on the nature or quan-
16 tity of defense articles and services to be made available
17 to Taiwan.

18 AUTHORIZATIONS

19 SEC. 594. The Secretary of the Treasury may, to ful-
20 fill commitments of the United States: (1) effect the
21 United States participation in the first general capital in-
22 crease of the Multilateral Investment Guarantee Agency,
23 and the first general capital increase of the Inter-Amer-
24 ican Investment Corporation; and (2) contribute on behalf
25 of the United States to the eighth replenishment of the
26 resources of the African Development Fund and the

1 twelfth replenishment of the International Development
2 Association. The following amounts are authorized to be
3 appropriated without fiscal year limitation for payment by
4 the Secretary of the Treasury: \$29,870,087 for paid-in
5 capital, and \$139,365,533 for callable capital, of the Mul-
6 tilateral Investment Guarantee Agency; \$125,180,000 for
7 paid-in capital of the Inter-American Investment Corpora-
8 tion; \$300,000,000 for the African Development Fund;
9 and \$2,410,000,000 for the International Development
10 Association.

11 ASSISTANCE FOR COSTA RICA

12 SEC. 595. Of the funds appropriated by Public Law
13 106–31, under the heading “Central America and the Car-
14 ibbean Emergency Disaster Recovery Fund”, \$8,000,000
15 shall be made available only for Costa Rica.

16 SILK ROAD STRATEGY ACT OF 1999

17 SEC. 596. (a) SHORT TITLE.—This section may be
18 cited as the “Silk Road Strategy Act of 1999”.

19 (b) AMENDMENT OF THE FOREIGN ASSISTANCE OF
20 1961.—Part I of the Foreign Assistance Act of 1961 (22
21 U.S.C. 2151 et seq.) is amended by adding at the end
22 the following new chapter:

1 **“CHAPTER 12—SUPPORT FOR THE ECO-**
2 **NOMIC AND POLITICAL INDEPEND-**
3 **ENCE OF THE COUNTRIES OF THE**
4 **SOUTH CAUCASUS AND CENTRAL ASIA**

5 **“SEC. 499. UNITED STATES ASSISTANCE TO PROMOTE REC-**
6 **ONCILIATION AND RECOVERY FROM RE-**
7 **GIONAL CONFLICTS.**

8 “(a) PURPOSE OF ASSISTANCE.—The purposes of as-
9 sistance under this section include—

10 “(1) the creation of the basis for reconciliation
11 between belligerents;

12 “(2) the promotion of economic development in
13 areas of the countries of the South Caucasus and
14 Central Asia impacted by civil conflict and war; and

15 “(3) the encouragement of broad regional co-
16 operation among countries of the South Caucasus
17 and Central Asia that have been destabilized by in-
18 ternal conflicts.

19 “(b) AUTHORIZATION FOR ASSISTANCE.—

20 “(1) IN GENERAL.—To carry out the purposes
21 of subsection (a), the President is authorized to pro-
22 vide humanitarian assistance and economic recon-
23 struction assistance for the countries of the South
24 Caucasus and Central Asia to support the activities
25 described in subsection (c).

1 “(2) DEFINITION OF HUMANITARIAN ASSIST-
2 ANCE.—In this subsection, the term ‘humanitarian
3 assistance’ means assistance to meet humanitarian
4 needs, including needs for food, medicine, medical
5 supplies and equipment, education, and clothing.

6 “(c) ACTIVITIES SUPPORTED.—Activities that may
7 be supported by assistance under subsection (b) include—

8 “(1) providing for the humanitarian needs of
9 victims of the conflicts;

10 “(2) facilitating the return of refugees and in-
11 ternally displaced persons to their homes; and

12 “(3) assisting in the reconstruction of residen-
13 tial and economic infrastructure destroyed by war.

14 **“SEC. 499A. ECONOMIC ASSISTANCE.**

15 “(a) PURPOSE OF ASSISTANCE.—The purpose of as-
16 sistance under this section is to foster economic growth
17 and development, including the conditions necessary for
18 regional economic cooperation, in the South Caucasus and
19 Central Asia.

20 “(b) AUTHORIZATION FOR ASSISTANCE.—To carry
21 out the purpose of subsection (a), the President is author-
22 ized to provide assistance for the countries of the South
23 Caucasus and Central Asia to support the activities de-
24 scribed in subsection (c).

1 “(c) ACTIVITIES SUPPORTED.—In addition to the ac-
2 tivities described in section 498, activities supported by
3 assistance under subsection (b) should support the devel-
4 opment of the structures and means necessary for the
5 growth of private sector economies based upon market
6 principles.

7 **“SEC. 499B. DEVELOPMENT OF INFRASTRUCTURE.**

8 “(a) PURPOSE OF PROGRAMS.—The purposes of pro-
9 grams under this section include—

10 “(1) to develop the physical infrastructure nec-
11 essary for regional cooperation among the countries
12 of the South Caucasus and Central Asia; and

13 “(2) to encourage closer economic relations and
14 to facilitate the removal of impediments to cross-bor-
15 der commerce among those countries and the United
16 States and other developed nations.

17 “(b) AUTHORIZATION FOR PROGRAMS.—To carry out
18 the purposes of subsection (a), the following types of pro-
19 grams for the countries of the South Caucasus and Cen-
20 tral Asia may be used to support the activities described
21 in subsection (c):

22 “(1) Activities by the Export-Import Bank to
23 complete the review process for eligibility for financ-
24 ing under the Export-Import Bank Act of 1945.

1 “(2) The provision of insurance, reinsurance, fi-
2 nancing, or other assistance by the Overseas Private
3 Investment Corporation.

4 “(3) Assistance under section 661 of this Act
5 (relating to the Trade and Development Agency).

6 “(c) ACTIVITIES SUPPORTED.—Activities that may
7 be supported by programs under subsection (b) include
8 promoting actively the participation of United States com-
9 panies and investors in the planning, financing, and con-
10 struction of infrastructure for communications, transpor-
11 tation, including air transportation, and energy and trade
12 including highways, railroads, port facilities, shipping,
13 banking, insurance, telecommunications networks, and gas
14 and oil pipelines.

15 **“SEC. 499C. BORDER CONTROL ASSISTANCE.**

16 “(a) PURPOSE OF ASSISTANCE.—The purpose of as-
17 sistance under this section includes the assistance of the
18 countries of the South Caucasus and Central Asia to se-
19 cure their borders and implement effective controls nec-
20 essary to prevent the trafficking of illegal narcotics and
21 the proliferation of technology and materials related to
22 weapons of mass destruction (as defined in section
23 2332a(c)(2) of title 18, United States Code), and to con-
24 tain and inhibit transnational organized criminal activi-
25 ties.

1 “(b) AUTHORIZATION FOR ASSISTANCE.—To carry
2 out the purpose of subsection (a), the President is author-
3 ized to provide assistance to the countries of the South
4 Caucasus and Central Asia to support the activities de-
5 scribed in subsection (c).

6 “(c) ACTIVITIES SUPPORTED.—Activities that may
7 be supported by assistance under subsection (b) include
8 assisting those countries of the South Caucasus and Cen-
9 tral Asia in developing capabilities to maintain national
10 border guards, coast guard, and customs controls.

11 **“SEC. 499D. STRENGTHENING DEMOCRACY, TOLERANCE,**
12 **AND THE DEVELOPMENT OF CIVIL SOCIETY.**

13 “(a) PURPOSE OF ASSISTANCE.—The purpose of as-
14 sistance under this section is to promote institutions of
15 democratic government and to create the conditions for
16 the growth of pluralistic societies, including religious toler-
17 ance and respect for internationally recognized human
18 rights.

19 “(b) AUTHORIZATION FOR ASSISTANCE.—To carry
20 out the purpose of subsection (a), the President is author-
21 ized to provide the following types of assistance to the
22 countries of the South Caucasus and Central Asia:

23 “(1) Assistance for democracy building, includ-
24 ing programs to strengthen parliamentary institu-
25 tions and practices.

1 “(2) Assistance for the development of non-
2 governmental organizations.

3 “(3) Assistance for development of independent
4 media.

5 “(4) Assistance for the development of the rule
6 of law, a strong independent judiciary, and trans-
7 parency in political practice and commercial trans-
8 actions.

9 “(5) International exchanges and advanced pro-
10 fessional training programs in skill areas central to
11 the development of civil society.

12 “(6) Assistance to promote increased adherence
13 to civil and political rights under section 116(e) of
14 this Act.

15 “(c) ACTIVITIES SUPPORTED.—Activities that may
16 be supported by assistance under subsection (b) include
17 activities that are designed to advance progress toward the
18 development of democracy.

19 **“SEC. 499E. ADMINISTRATIVE AUTHORITIES.**

20 “(a) ASSISTANCE THROUGH GOVERNMENTS AND
21 NONGOVERNMENTAL ORGANIZATIONS.—Assistance under
22 this chapter may be provided to governments or through
23 nongovernmental organizations.

24 “(b) USE OF ECONOMIC SUPPORT FUNDS.—Except
25 as otherwise provided, any funds that have been allocated

1 under chapter 4 of part II for assistance for the inde-
2 pendent states of the former Soviet Union may be used
3 in accordance with the provisions of this chapter.

4 “(c) TERMS AND CONDITIONS.—Assistance under
5 this chapter shall be provided on such terms and condi-
6 tions as the President may determine.

7 “(d) AVAILABLE AUTHORITIES.—The authority in
8 this chapter to provide assistance for the countries of the
9 South Caucasus and Central Asia is in addition to the au-
10 thority to provide such assistance under the FREEDOM
11 Support Act (22 U.S.C. 5801 et seq.) or any other Act,
12 and the authorities applicable to the provision of assist-
13 ance under chapter 11 may be used to provide assistance
14 under this chapter.

15 **“SEC. 499F. DEFINITIONS.**

16 “In this chapter:

17 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term ‘appropriate congressional com-
19 mittees’ means the Committee on Foreign Relations
20 of the Senate and the Committee on International
21 Relations of the House of Representatives.

22 “(2) COUNTRIES OF THE SOUTH CAUCASUS
23 AND CENTRAL ASIA.—The term ‘countries of the
24 South Caucasus and Central Asia’ means Armenia,

1 Azerbaijan, Georgia, Kazakstan, Kyrgyzstan,
2 Tajikistan, Turkmenistan, and Uzbekistan.”.

3 (c) CONFORMING AMENDMENTS.—Section 102(a) of
4 the FREEDOM Support Act (Public Law 102–511) is
5 amended in paragraphs (2) and (4) by striking each place
6 it appears “this Act)” and inserting “this Act and chapter
7 12 of part I of the Foreign Assistance Act of 1961)”.

8 (d) ANNUAL REPORT.—Section 104 of the FREE-
9 DOM Support Act (22 U.S.C. 5814) is amended—

10 (1) by striking “and” at the end of paragraph
11 (3);

12 (2) by striking the period at the end of para-
13 graph (4) and inserting “; and”; and

14 (3) by adding at the end the following new
15 paragraph:

16 “(5) with respect to the countries of the South
17 Caucasus and Central Asia—

18 “(A) an identification of the progress made
19 by the United States in accomplishing the pol-
20 icy described in section 3 of the Silk Road
21 Strategy Act of 1999;

22 “(B) an evaluation of the degree to which
23 the assistance authorized by chapter 12 of part
24 I of the Foreign Assistance Act of 1961 has ac-

1 completed the purposes identified in that chap-
2 ter;

3 “(C) a description of the progress being
4 made by the United States to resolve trade dis-
5 putes registered with and raised by the United
6 States embassies in each country, and to nego-
7 tiate a bilateral agreement relating to the pro-
8 tection of United States direct investment in,
9 and other business interests with, each country;
10 and

11 “(D) recommendations of any additional
12 initiatives that should be undertaken by the
13 United States to implement the policy and pur-
14 poses contained in the Silk Road Strategy Act
15 of 1999.”.

16 COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES

17 SEC. 597. Section 116 of the Foreign Assistance Act
18 of 1961 is amended by adding the following new sub-
19 section:

20 “(f)(1) The report required by subsection (d) shall
21 include—

22 “(A) a list of foreign states where trafficking in
23 persons, especially women and children, originates,
24 passes through, or is a destination; and

25 “(B) an assessment of the efforts by the gov-
26 ernments of the states described in paragraph (A) to

1 combat trafficking. Such an assessment shall
2 address—

3 “(i) whether government authorities in
4 each such state tolerate or are involved in traf-
5 ficking activities;

6 “(ii) which government authorities in each
7 such state are involved in anti-trafficking activi-
8 ties;

9 “(iii) what steps the government of each
10 such state has taken to prohibit government of-
11 ficials and other individuals from participating
12 in trafficking, including the investigation, pros-
13 ecution, and conviction of individuals involved
14 in trafficking;

15 “(iv) what steps the government of each
16 such state has taken to assist trafficking vic-
17 tims;

18 “(v) whether the government of each such
19 state is cooperating with governments of other
20 countries to extradite traffickers when re-
21 quested;

22 “(vi) whether the government of each such
23 state is assisting in international investigations
24 of transnational trafficking networks; and

1 “(vii) whether the government of each such
2 state refrains from prosecuting trafficking vic-
3 tims or refrains from other discriminatory
4 treatment towards victims.

5 “(2) In compiling data and assessing trafficking for
6 the purposes of paragraph (1), United States Diplomatic
7 Mission personnel shall consult with human rights and
8 other appropriate nongovernmental organizations.

9 “(3) For purposes of this subsection—

10 “(A) the term ‘trafficking’ means the use of de-
11 ception, coercion, debt bondage, the threat of force,
12 or the abuse of authority to recruit, transport within
13 or across borders, purchase, sell, transfer, receive, or
14 harbor a person for the purposes of placing or hold-
15 ing such person, whether for pay or not, in involun-
16 tary servitude, slavery or slavery-like conditions, or
17 in forced, bonded, or coerced labor;

18 “(B) the term ‘victim of trafficking’ means any
19 person subjected to the treatment described in sub-
20 paragraph (A).”.

21 OPIC MARITIME FUND

22 SEC. 598. It is the sense of the Congress that the
23 Overseas Private Investment Corporation shall within one
24 year from the date of the enactment of this Act select a
25 fund manager for the purpose of creating a maritime fund
26 with total capitalization of up to \$200,000,000. This fund

1 shall leverage United States commercial maritime exper-
2 tise to support international maritime projects.

3 SANCTIONS AGAINST SERBIA

4 SEC. 599. (a) CONTINUATION OF EXECUTIVE
5 BRANCH SANCTIONS.—The sanctions listed in subsection
6 (b) shall remain in effect for fiscal year 2000, unless the
7 President submits to the Committees on Appropriations
8 and Foreign Relations in the Senate and the Committees
9 on Appropriations and International Relations of the
10 House of Representatives a certification described in sub-
11 section (c).

12 (b) APPLICABLE SANCTIONS.—

13 (1) The Secretary of the Treasury shall instruct
14 the United States executive directors of the inter-
15 national financial institutions to work in opposition
16 to, and vote against, any extension by such institu-
17 tions of any financial or technical assistance or
18 grants of any kind to the government of Serbia.

19 (2) The Secretary of State should instruct the
20 United States Ambassador to the Organization for
21 Security and Cooperation in Europe (OSCE) to
22 block any consensus to allow the participation of
23 Serbia in the OSCE or any organization affiliated
24 with the OSCE.

25 (3) The Secretary of State should instruct the
26 United States Representative to the United Nations

1 to vote against any resolution in the United Nations
2 Security Council to admit Serbia to the United Na-
3 tions or any organization affiliated with the United
4 Nations, to veto any resolution to allow Serbia to as-
5 sume the United Nations' membership of the former
6 Socialist Federal Republic of Yugoslavia, and to take
7 action to prevent Serbia from assuming the seat for-
8 merly occupied by the Socialist Federal Republic of
9 Yugoslavia.

10 (4) The Secretary of State should instruct the
11 United States Permanent Representative on the
12 Council of the North Atlantic Treaty Organization
13 to oppose the extension of the Partnership for Peace
14 program or any other organization affiliated with
15 NATO to Serbia.

16 (5) The Secretary of State should instruct the
17 United States Representatives to the Southeast Eu-
18 ropean Cooperative Initiative (SECI) to oppose and
19 to work to prevent the extension of SECI member-
20 ship to Serbia.

21 (c) CERTIFICATION.—A certification described in this
22 subsection is a certification that—

23 (1) the representatives of the successor states
24 to the Socialist Federal Republic of Yugoslavia have
25 successfully negotiated the division of assets and li-

1 abilities and all other succession issues following the
2 dissolution of the Socialist Federal Republic of
3 Yugoslavia;

4 (2) the government of Serbia is fully complying
5 with its obligations as a signatory to the General
6 Framework Agreement for Peace in Bosnia and
7 Herzegovina;

8 (3) the government of Serbia is fully cooper-
9 ating with and providing unrestricted access to the
10 International Criminal Tribunal for the former
11 Yugoslavia, including surrendering persons indicted
12 for war crimes who are within the jurisdiction of the
13 territory of Serbia, and with the investigations con-
14 cerning the commission of war crimes and crimes
15 against humanity in Kosova;

16 (4) the government of Serbia is implementing
17 internal democratic reforms; and

18 (5) Serbian federal governmental officials, and
19 representatives of the ethnic Albanian community in
20 Kosova have agreed on, signed, and begun imple-
21 mentation of a negotiated settlement on the future
22 status of Kosova.

23 (d) STATEMENT OF POLICY.—It is the sense of the
24 Congress that the United States should not restore full
25 diplomatic relations with Serbia until the President sub-

mits to the Committees on Appropriations and Foreign Relations in the Senate and the Committees on Appropriations and International Relations in the House of Representatives the certification described in subsection (c).

(e) EXEMPTION OF MONTENEGRO AND KOSOVA.—The sanctions described in subsection (b) shall not apply to Montenegro or Kosova.

(f) DEFINITION.—The term “international financial institution” includes the International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guaranty Agency, and the European Bank for Reconstruction and Development.

(g) WAIVER AUTHORITY.—The President may waive the application in whole or in part, of any sanction described in subsection (b) if the President certifies to the Congress that the President has determined that the waiver is necessary to meet emergency humanitarian needs.

CLEAN COAL TECHNOLOGY

SEC. 599A. (a) FINDINGS.—The Congress finds as follows:

(1) The United States is the world leader in the development of environmental technologies, particularly clean coal technology.

1 (2) Severe pollution problems affecting people
2 in developing countries, and the serious health prob-
3 lems that result from such pollution, can be effec-
4 tively addressed through the application of United
5 States technology.

6 (3) During the next century, developing coun-
7 tries, particularly countries in Asia such as China
8 and India, will dramatically increase their consump-
9 tion of electricity, and low quality coal will be a
10 major source of fuel for power generation.

11 (4) Without the use of modern clean coal tech-
12 nology, the resultant pollution will cause enormous
13 health and environmental problems leading to dimin-
14 ished economic growth in developing countries and,
15 thus, diminished United States exports to those
16 growing markets.

17 (b) STATEMENT OF POLICY.—It is the policy of the
18 United States to promote the export of United States
19 clean coal technology. In furtherance of that policy, the
20 Secretary of State, the Secretary of the Treasury (acting
21 through the United States executive directors to inter-
22 national financial institutions), the Secretary of Energy,
23 and the Administrator of the United States Agency for
24 International Development (USAID) should, as appro-
25 priate, vigorously promote the use of United States clean

1 coal technology in environmental and energy infrastruc-
2 ture programs, projects and activities. Programs, projects
3 and activities for which the use of such technology should
4 be considered include reconstruction assistance for the
5 Balkans, activities carried out by the Global Environment
6 Facility, and activities funded from USAID's Development
7 Credit Authority.

8 RESTRICTION ON UNITED STATES ASSISTANCE FOR CER-
9 TAIN RECONSTRUCTION EFFORTS IN THE BALKANS
10 REGION

11 SEC. 599B. (a) Funds appropriated or otherwise
12 made available by this Act for United States assistance
13 for reconstruction efforts in the Federal Republic of Yugo-
14 slavia or any contiguous country should to the maximum
15 extent practicable be used for the procurement of articles
16 and services of United States origin.

17 (b) DEFINITIONS.—In this section:

18 (1) ARTICLE.—The term “article” means any
19 agricultural commodity, steel, communications
20 equipment, farm machinery or petrochemical refin-
21 ery equipment.

22 (2) FEDERAL REPUBLIC OF YUGOSLAVIA.—The
23 term “Federal Republic of Yugoslavia” includes Ser-
24 bia, Montenegro and Kosova.

1 CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

2 SEC. 599C. (1) LIMITATIONS ON AMOUNT OF CON-
3 TRIBUTION.—Of the amounts made available under
4 “International Organizations and Programs”, not more
5 than \$25,000,000 for fiscal year 2000 shall be available
6 for the United Nations Population Fund (hereinafter in
7 this subsection referred to as the “UNFPA”).

8 (2) PROHIBITION ON USE OF FUNDS IN CHINA.—
9 None of the funds made available under “International
10 Organizations and Programs” may be made available for
11 the UNFPA for a country program in the People’s Repub-
12 lic of China.

13 (3) CONDITIONS ON AVAILABILITY OF FUNDS.—
14 Amounts made available under “International Organiza-
15 tions and Programs” for fiscal year 2000 for the UNFPA
16 may not be made available to UNFPA unless—

17 (A) the UNFPA maintains amounts made
18 available to the UNFPA under this section in an ac-
19 count separate from other accounts of the UNFPA;

20 (B) the UNFPA does not commingle amounts
21 made available to the UNFPA under this section
22 with other sums; and

23 (C) the UNFPA does not fund abortions.

24 (4) REPORT TO THE CONGRESS AND WITHHOLDING
25 OF FUNDS.—

1 (A) Not later than February 15, 2000, the Sec-
2 retary of State shall submit a report to the appro-
3 priate congressional committees indicating the
4 amount of funds that the United Nations Population
5 Fund is budgeting for the year in which the report
6 is submitted for a country program in the People's
7 Republic of China.

8 (B) If a report under subparagraph (A) indi-
9 cates that the United Nations Population Fund
10 plans to spend funds for a country program in the
11 People's Republic of China in the year covered by
12 the report, then the amount of such funds that the
13 UNFPA plans to spend in the People's Republic of
14 China shall be deducted from the funds made avail-
15 able to the UNFPA after March 1 for obligation for
16 the remainder of the fiscal year in which the report
17 is submitted.

18 AUTHORIZATION FOR POPULATION PLANNING

19 SEC. 599D. (a) Not to exceed \$385,000,000 of the
20 funds appropriated in title II of this Act may be available
21 for population planning activities or other population as-
22 sistance.

23 (b) Such funds may be apportioned only on a monthly
24 basis, and such monthly apportionments may not exceed
25 8.34 percent of the total available for such activities.

7 For an additional amount for “International Disaster
8 Assistance”, \$27,000,000, to remain available until ex-
9 pended.

10 URBAN AND ENVIRONMENTAL CREDIT PROGRAM

11 ACCOUNT

HR 3196 PCS

1 OPERATING EXPENSES OF THE AGENCY FOR
2 INTERNATIONAL DEVELOPMENT

3 For an additional amount for “Operating Expenses
4 of the Agency for International Development”,
5 \$25,000,000.

6 OTHER BILATERAL ECONOMIC ASSISTANCE ECONOMIC
7 SUPPORT FUND

8 For an additional amount for “Economic Support
9 Fund” for assistance for Jordan and for the West Bank
10 and Gaza, \$450,000,000, to remain available until Sep-
11 tember 30, 2002: *Provided*, That the entire amount is des-
12 ignated by the Congress as an emergency requirement
13 pursuant to section 251(b)(2)(A) of the Balanced Budget
14 and Emergency Deficit Control Act of 1985, as amended:
15 *Provided further*, That the entire amount provided shall
16 be available only to the extent that an official budget re-
17 quest that includes designation of the entire amount as
18 an emergency requirement pursuant to section
19 251(b)(2)(A) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985, as amended, is transmitted
21 by the President to the Congress.

22 For an additional amount for “Economic Support
23 Fund”, \$168,500,000, to remain available until Sep-
24 tember 30, 2001.

1 ASSISTANCE FOR THE INDEPENDENT STATES OF THE
2 FORMER SOVIET UNION

3 For an additional amount for “Assistance for the
4 Independent States of the Former Soviet Union”,
5 \$104,000,000, to remain available until September 30,
6 2001.

7 INDEPENDENT AGENCY
8 PEACE CORPS

9 For an additional amount for “Peace Corps”,
10 \$10,000,000, to remain available until September 30,
11 2001.

12 DEPARTMENT OF STATE
13 INTERNATIONAL NARCOTICS CONTROL AND LAW
14 ENFORCEMENT

15 For an additional amount for “International Nar-
16 cotics Control and Law Enforcement”, \$20,000,000.

17 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
18 RELATED PROGRAMS

19 For an additional amount for “Nonproliferation,
20 Anti-Terrorism, Demining and Related Programs”,
21 \$35,000,000.

22 DEPARTMENT OF THE TREASURY
23 DEBT RESTRUCTURING

24 For an additional amount for “Debt Restructuring”,
25 \$90,000,000, to remain available until expended.

1 UNITED STATES COMMUNITY ADJUSTMENT AND
2 INVESTMENT PROGRAM

3 For the United States Community Adjustment and
4 Investment Program authorized by section 543 of the
5 North American Free Trade Agreement Implementation
6 Act, \$10,000,000, to remain available until September 30,
7 2001: *Provided*, That the Secretary may transfer such
8 funds to the North American Development Bank and/or
9 to one or more Federal agencies for the purpose of ena-
10 bling the Bank or such Federal agencies to assist in car-
11 rying out the program by providing technical assistance,
12 grants, loans, loan guarantees, and other financial sub-
13 sidies endorsed by the interagency finance committee es-
14 tablished by section 7 of Executive Order No. 12916: *Pro-*
15 *vided further*, That no portion of such funds may be trans-
16 ferred to the Bank unless the Secretary shall have first
17 entered into an agreement with the Bank that provides
18 that any such funds may not be used for the Bank's ad-
19 ministrative expenses: *Provided further*, That any funds
20 transferred to the Bank under this heading will be in addi-
21 tion to the 10 percent of the paid-in capital paid to the
22 Bank by the United States referred to in section 543 of
23 the Act: *Provided further*, That any funds transferred to
24 any Federal agency under this heading will be in addition
25 to amounts otherwise provided to such agency: *Provided*

1 *further*, That any funds transferred to an agency under
2 this heading shall be subject to the same terms and condi-
3 tions as the account to which transferred.

4 MILITARY ASSISTANCE

5 FUNDS APPROPRIATED TO THE PRESIDENT

6 FOREIGN MILITARY FINANCING PROGRAM

7 For an additional amount for “Foreign Military Fi-
8 nancing Program”, \$1,375,000,000, to remain available
9 until September 30, 2002, of which \$1,200,000,000 shall
10 be for grants only for Israel, \$25,000,000 shall be for
11 grants only for Egypt, and \$150,000,000 shall be for
12 grants only for Jordan: *Provided*, That funds appropriated
13 under this heading shall be nonrepayable, notwithstanding
14 section 23 of the Arms Export Control Act: *Provided fur-*
15 *ther*, That funds appropriated under this heading shall be
16 expended at the minimum rate necessary to make timely
17 payment for defense articles and services: *Provided fur-*
18 *ther*, That to the extent that the Government of Israel re-
19 quests that funds be used for such purposes, grants made
20 available for Israel by this paragraph shall, as agreed by
21 Israel and the United States, be available for advanced
22 weapons systems, of which not to exceed 26.3 percent shall
23 be available for the procurement in Israel of defense arti-
24 cles and defense services, including research and develop-
25 ment: *Provided further*, That the entire amount is des-

1 ignated by the Congress as an emergency requirement
2 pursuant to section 251(b)(2)(A) of the Balanced Budget
3 and Emergency Deficit Control Act of 1985, as amended:
4 *Provided further*, That the entire amount provided shall
5 be available only to the extent that an official budget re-
6 quest that includes designation of the entire amount as
7 an emergency requirement pursuant to section
8 251(b)(2)(A) of the Balanced Budget and Emergency
9 Deficit Control Act of 1985, as amended, is transmitted
10 by the President to the Congress.

11 PEACEKEEPING OPERATIONS

12 For an additional amount for “Peacekeeping Oper-
13 ations”, \$75,000,000.

14 MULTILATERAL ECONOMIC ASSISTANCE

15 FUNDS APPROPRIATED TO THE PRESIDENT

16 INTERNATIONAL FINANCIAL INSTITUTIONS

17 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT

18 ASSOCIATION

19 For an additional amount for “Contribution to the
20 International Development Association”, \$150,000,000, to
21 remain available until expended.

22 CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT

23 CORPORATION

24 For pavement to the Inter-American Investment Cor-
25 poration, by the Secretary of the Treasury, \$16,000,000,

1 for the United States share of the increase in subscrip-
2 tions to capital stock, to remain available until expended.

3 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

4 For payment to the African Development Bank by
5 the Secretary of the Treasury, \$4,100,000, for the United
6 States paid-in share of the increase in capital stock, to
7 remain available until expended.

8 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

9 The United States Governor of the African Develop-
10 ment Bank may subscribe without fiscal year limitation
11 for the callable capital portion of the United States share
12 of such capital stock in an amount not to exceed
13 \$64,000,000.

14 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

15 For an additional amount for “Contribution to the
16 African Development Fund”, \$50,000,000, to remain
17 available until expended.

18 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

19 For an additional amount for “International Organi-
20 zations and Programs”, \$13,000,000.

1 This Act may be cited as the “Foreign Operations,
2 Export Financing, and Related Programs Appropriations
3 Act, 2000”.

Passed the House of Representatives November 5,
1999.

Attest:

JEFF TRANDAHL,
Clerk.